



NOTICE OF MEETING Cochise County Planning and Zoning Commission

May 9, 2012 at 4:00

Cochise County Complex
Board of Supervisors, Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

****Please note that a Joint Work Session with the Board of Supervisors is scheduled for 2:30p.m. in the Board's Executive Conference Room (Building G) to discuss the minimum acceptable degree of detail required for concept plans submitted as part of Special Use Permit applications. We will also discuss and obtain direction from the Board and Commission regarding the Department's anticipated formal Work Plan for Fiscal Year 2013.**

AGENDA

1. 4:00 P.M. - CALL TO ORDER

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

- 2. ROLL CALL** (Introduce Commission members, explain quorum and requirements for taking legal action.)
- 3. CALL TO THE PUBLIC** (Opportunity for members of the public to speak on any item not already on the agenda).
- 4. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 5. NEW BUSINESS**

Item 1 – (Page 1) Introduce docket and advise public who the applicants are.

PUBLIC HEARING, DOCKET SU-12-07 (Mayne): The Applicant seeks to obtain a Special Use Permit, per the Cochise County Zoning Regulations, Section 607.22 for retail gun sales, Section 607.06 for animal hospitals, veterinary clinics and animal husbandry services, and Section 607.18 for distribution and storage of propane on a 4.25-acre site.

The Applicant intends to establish and operate a retail feed and farm supply store; establish and operate a veterinary clinic in an accessory building on the property, and to legitimize an existing propane storage tank and the corresponding sales of propane.

The subject property (Parcel #107-72-039D) is located at 5373 South Moson Road, Sierra Vista, AZ. It is further described as being situated in Section 35 of Township 22, Range 21 East of the G&SRB&M, in Cochise County, Arizona. Applicant: Richard Mayne.

ANNOUNCE ACTION TAKEN – (Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the “Permits and Packets” link.)

Item 2 – (Page 2) Introduce docket and advise public who the applicants are.

PUBLIC HEARING, DOCKET R-12-01: The Planning and Zoning Commission will consider and forward to the Board of Supervisors recommendations for amendments to Article 2 and Article 17 of the Cochise County Zoning Regulations concerning the development standards, maximum size restrictions and procedures for issuance of Accessory Living Quarters (ALQs). Accessory Living Quarters are attached or detached structures that are used either as a guesthouse or as quarters for the ill, elderly or disabled, or their caretaker, and are subordinate in size to the main dwelling.

ANNOUNCE ACTION TAKEN (If the Commission makes a recommendation, the docket will be heard at a future Board of Supervisors’ meeting at the same location as the Commission meeting).

Item 3 – (Page 2) Introduce docket and advise public who the applicants are.

PUBLIC HEARING, DOCKET SU-12-06: The Applicant seeks Special Use Authorization from the Planning Commission to construct and operate a solar power plant, per Section 607.50 of the Zoning Regulations. The proposal is for a 1.2 Megawatt facility, using photovoltaic (PV) technology, and would cover an approximately 6.3 acre area on a 58.5-acre site. An SSVEC substation currently exists on the property.

The subject parcel (303-37-002B) is located at 2815 N. Indian Springs Road in San Simon, AZ. It is further described as being situated in Section 33 of Township 13, Range 31 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Richard Pereanu of SSVEC.

(Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the “Permits and Packets” link.)

6. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS

7. CALL TO COMMISSIONERS ON RECENT MATTERS

8. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.



Cochise County Planning and Zoning Commission

DRAFT MEETING MINUTES

April 11, 2012 at 3:00

Cochise County Complex
Board of Supervisors Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

At 3:00 p.m. Mark Apel from the University of Arizona's Cooperative Extension presented a Renewable Energy Opportunity Analysis /Solar Facility Siting Analysis for Cochise County. After the presentation, Mr. Apel entertained several questions about the analysis from staff and the Commission.

CALL TO ORDER

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:00 p.m. by Jim Lynch, Chair, at the Cochise County Complex, 1415 Melody Lane Building G, Bisbee, Arizona in the Board of Supervisors Board Room.

Mr. Lynch admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission and asked the Commissioners to introduce themselves.

ROLLCALL

Chair Lynch noted the presence of a quorum, and called the roll; seven Commissioners (Martzke, Cervantes, Lynch, Sanger, Brauchla, Edie and Montaño,) indicated their attendance, Bemis was absent.

APPROVAL OF PREVIOUS MONTH'S MINUTES

Mr. Lynch offered no corrections.

Motion: Approve the minutes of the March 14, 2012 meeting.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 6, No = 0, Abstain = 1)

Yes: Mr. Martzke, Mr. Montañño, Ms. Edie, Mr. Lynch, Mr. Brauchla, Ms. Edie

No: 0

Abstain: Mr. Montañño

CALL TO THE PUBLIC

Chair Lynch opened the "Call to the Public." Jack Cook spoke about various matters. Chair Lynch closed the "Call to the Public."

NEW BUSINESS

Item 1 – Docket SU-12-03 (DJMI, AZ)

This item is a request for approval of a Special Use Permit for guest lodging, on a 200-acre site per Section 607.01 of the Cochise County Zoning Regulations. The Applicant intends to establish and operate a religious retreat on the property (Parcel#401-01-071A).

The subject parcel is located off Robison Road, south of Parker Ranch Road and east of Kansas Settlement Road, in Cochise County, Arizona. The Applicant is the Disciples of Jesus and Mary, Inc. Senior Planner Beverly Wilson presented the Docket, explaining that DJMI has established a small prayer retreat center with a chapel, barn and shower house. It is on a 200-acre site and this request is to legitimize an existing shower house with guest lodging. She stated that Guest Lodging is permitted under section 607.01 of the Zoning Regulations. She showed photos of the site including the chapel and a building called the barn, as well as the two-story shower house with the two guest bedrooms on the second floor. She also showed pictures of the long driveway constructed by a contractor, and the gate that is kept locked. The driveway is 20-foot wide, but the site development standards require a 24-foot entry drive. She stated that the Applicant has requested a modification for the 20-foot driveway to be allowed to remain, as well as a waiver for the two-inch gravel required for the parking surface and entry drive. She presented four factors in favor of approval, the first being that an approved special use would legitimize the existing facility; guest lodging is an accessory to the church, which is a permitted use under the Zoning Regulations; the project would comply with six of the ten applicable special use factors which are used to analyze these requests; two of the factors would comply with conditions and modifications while the other two factors did not apply. Two neighboring property owners supported this request, and there is no expansion proposed as part of this special use request. Factors against approval include that the special use is being requested in order to avoid a violation of the zoning regulations and one neighboring property owner opposed that request. Ms. Wilson concluded and asked if there were any questions.

Mr. Lynch asked if the Applicant wanted to make a statement and Heidi Stamp of 8621 E. Weldon Ave. in Scottsdale, AZ spoke for the DJMI group. She stated that this property was purchased for the Disciples of Jesus and Mary, which is a group that seeking to deepen their prayer life and get away to a quiet place with nice surroundings. She stated that they thought they were doing everything correctly until they applied for another septic permit. Then they found they were in violation, and simply want to make their development right. They have about 20-30 people on average, with retreats about four times a year. The reason they built the guest lodging is for people who travel from Phoenix to these retreats who may not wish to travel back home on that same day, to be able to stay on site and enjoy the quiet.

Mr. Lynch stated that the public hearing was open and asked if any speakers would like to speak in favor of this project or any against; there being none, the public hearing was closed. He asked the Commissioners' if there was any discussion.

Mr. Lynch asked for the Planning Director's summary and recommendation. Ms. Wilson stated that Staff was recommending conditional approval and listed the four conditions recommended. The first condition was the standard acceptance of conditions form and waiver of claims form. On this particular docket Staff is recommending that within 60 days of approval, the Applicant will submit a completed joint permit application for the commercial use and that there will be a new site plan submitted in conformance with this approval, meeting all the site development standards except the modifications. Those modifications would allow the 20-foot driveway to remain and waiving the requirement for 2 inches of gravel. Staff asked that the permit be issued within 12 months of the special use instead of the 18 months normally given because the buildings are already there. The second condition is a requirement under the site development standards that the Applicant shall enter into a private maintenance agreement with the County at the time of commercial permitting to insure that the portion of Robison Road from Parker Ranch Road to the existing driveway is maintained in a safe and drivable condition. Ms. Wilson stated that she received a call from a neighbor living on the road and encouraged him to talk with Heidi and her group about making arrangements for mutually maintaining their road. The third condition is that it is the Applicant's responsibility to obtain any additional permits or meet any other conditions that might be applicable; and the final one is also a standard condition that any changes to the approved special use will be subject to review by the planning department and might require modification and another approval from the Commission.

Mr. Lynch asked if there were any questions, comments, discussion, and called for the motion.

Jim Martzke moved to conditionally approve the docket. Ms. Edie seconded, and the motion passed 7 – 0.

Motion: Motioned to approve the special use request.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Mr. Montano, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 2 – Public Hearing Docket Z-12-04 (Doberstein): Senior Planner Keith Dennis presented the Docket, which is a request to rezone 5-acres in the Kansas Settlement area from RU-4 to Heavy Industry. The purpose of the request is to facilitate expansion of a use that has been on this property for six-years. Mr. Dennis stated the Applicant originally rented a building on this site and began his manufacturing operations there. He came to the County for a Special Use Permit for an existing business when he learned he needed to do so, which was docket SU-10-05. The special use permit was approved under the RU-4 zoning requirements which allow manufacturing in a rural district with a maximum of 5,000 square feet of activity area, including the interior of the building, and an outdoor storage area. Mr. Dennis stated that because the Applicant's business is doing very well, he has purchased the parcel and would like to expand. Mr. Dennis explained both the location of the site and the expansion concept plan. Mr. Dennis then presented a request for a waiver of the set-backs as the purchase of the parcel has changed the boundaries, forcing the existing shop to become non-conforming without a waiver.

Mr. Lynch asked if the Commissioners' had any questions and if the Applicant wished to make a statement. Mr. Ray Clump, an architect representing the Applicant, spoke and gave an explanation of the business operation and private maintenance of the Alamo Lane from Shelton Road to the Applicant's property.

Mr. Lynch asked if there were any questions and opened the public hearing. There being no one who wished to comment, he closed the public hearing and asked for Planning Director Summary and recommendations.

Mr. Dennis stated that Staff recommends that the Commission forward a recommendation for conditional approval to the Board of Supervisors including support for the requested waiver of setbacks. He also informed the Commission that this docket is scheduled to be heard by the Board on April 24, 2012.

Mr. Martzke moved to forward a recommendation of approval to the Board of Supervisors. Mr. Montano seconded the motion and it passed (7 – 0).

Motion: Forward Docket Z-12-04 to Board of Supervisors with a recommendation of conditional approval.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Mr. Montano

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Mr. Montano, Chair Lynch, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Item 3 – PUBLIC HEARING, Docket Z-12-03/SU-12-04 (G&M Propane): Senior Planner Beverly Wilson presented a request to down zone a parcel from R-36 to RU-2 and also a request for a Special Use authorization for a propane distribution facility and storage. The Applicant is Marshall Miles of G&M Propane, which is located north of Willcox on Joe Hines Road. Ms. Wilson gave a description of the site and the existing business, and stated that it is a 4.52 acre parcel. Ms. Wilson said that it is a combined docket because wholesaling warehousing distribution and storage of propane is only allowed in the RU district not in the current R-36 zoning district. A commercial LPG Tank permit has to be issued by the State Fire Marshall's Office and the electrical and all other site development standards will be inspected by the County.

Ms. Wilson stated that there are some modifications the Applicant has requested from the site development standards which include a waiver of the 6-foot screening requirement, a modification of the chip seal requirement to allow the 2" gravel to remain; and a waiver from the landscape requirement. Ms. Wilson explained the factors found in favor of approval, stating that the rezoning request is permitted within the growth Category B area on the Comprehensive Plan and meets the mandatory compliance for rezoning. There were two factors against approval, including the fact that the Applicant has operated this business without permits, and that there are no abutting RU-2 Zoning Districts.

Chairman Lynch asked if there were any questions from Staff and invited the Applicant to speak. Marshall Miles introduced himself and explained his request.

Chairman Lynch opened the Call to Public. Mr. Spencer, a retired Law enforcement officer for ADOT, neighbor and friend of Mr. Miles spoke in favor. Mr. Roger Barnett, of Sierra Vista spoke in opposition stating that it is not legitimized right now and Mr. Marshall has been prone to operating without permits in the past. He spoke of a past incident in Benson involving the Applicant and requested that the construction of the concrete supports be inspected before permit is issued.

Mr. Lynch asked if there were any other oppositions and being none the Public Hearing was closed and asked if Applicant would like to make a rebuttal to the opposition. Mr. Miles stated that with reference to the Benson incident, it was a portable tank which was on wheels and never was tried to put in service and was complete falsehood. He reiterated that he is trying to 'get righteous' with the County and has used the manufacturing specifications for installing the new tank in Willcox.

Mr. Lynch asked if there was any discussion from the Commissioners, and then called for the Planning Director's summary and recommendation. Ms. Wilson stated that Staff is recommending that Docket Z-12-03 be forwarded to the Board of Supervisors with a recommendation of conditional approval and that the Commission conditionally approve Docket SU-12-04. The conditions include the normal waiver of claims form being signed, that it is the Applicant's responsibility to submit a revised site plan; the Applicant must obtain any additional permits.

Mr. Martzke moved to forward Docket Z-12-03 to the Board of Supervisors with recommendation of conditional approval and conditions as listed in staff memorandum and further moved the approval of Docket SU-12-04 based on the five factors in favor of approval as findings of fact and with the conditions of approval recommended by staff and one additional condition that this approval be based on approval Docket Z-12-03 by the Board of Supervisors. Ms. Edie seconded, and the motion passed with a 7 – 0 vote.

Motion: Forward Docket Z-12-03 to Board of Supervisors with a recommendation of conditional approval and approve Docket SU-12-04.

Action: Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion passed unanimously (**Summary:** Yes = 7, No = 0, Abstain = 0)

Yes: Mr. Martzke, Mr. Montano, Chair Lynch, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Mr. Lynch called for a 10 minute break.

Mr. Lynch called reconvened the Commission and called for the next Docket.

Item 4 – PUBLIC HEARING, Docket SU-12-05 (Patten): This is a request for approval of a Medical Marijuana Cultivation Facility in the Douglas area.

The Chairman called for the Planning Directors report. Planning Manager, Michael Turisk presented the Docket, which is a request for a Special Use Authorization for a Medical Marijuana Cultivation facility near Douglas, and gave a brief background regarding the 2010 Medical Marijuana Act, otherwise known as Proposition 203. The Applicant owns the 4.8 acre RU-4 zoned parcel near Douglas.

The proposal includes a 3,000 sq. ft. greenhouse and a 600 sq. ft. accessory building for preparing the marijuana for transport off-site to sell at a different location in Maricopa County. Mr. Turisk indicated that in July of 2011, this Applicant was denied her application for a medical marijuana facility on an adjacent parcel. The concept site plan submitted with that application was deficient and made a technical analysis very difficult.

Mr. Turisk then explained the current request including the surrounding areas and zoning. Much of the surrounding parcels have rural-residential uses. Mr. Turisk indicated that the submitted concept plan was detailed and complete and shows the location of the proposed use as being in the southeastern portion of the parcel. The Applicant owns the adjoining parcel. He then showed photographs of the surrounding area, explaining each to the Commission. Mr. Turisk explained that 5 of the 10 factors used for compliance; one factor complies with conditions and two factors do not comply. The application does not comply with the Traffic Circulation factor, as non-residential traffic is discouraged per the Zoning Regulations. The application does not comply with the factor on public input either, as there is significant neighborhood opposition. Mr. Turisk showed a map locating the 30 parcels surrounding Ms. Patten's property that are in opposition. One letter of support was received, that being from the Applicant. The neighbors' concerns include poor condition of area roads; water use; the potential for flooding; impact on property values; and crime. There were four factors in favor of approval including the agricultural nature of the request; the comprehensive plan allows this type of use in this area; the use will meet all applicable site development standards, and the use will not create significant off-site impacts. The three factors against include significant neighborhood opposition, the introduction of commercial traffic in the neighborhood, and a deed restriction prohibiting offensive commercial uses in this area. Mr. Turisk concluded his presentation and asked for questions from the Commission. Mr. Lynch asked if the deed restriction would be taken up in civil court. Mr. Hanson, County Attorney, answered in the affirmative.

There being no more questions from Staff, Mr. Lynch asked for the Applicant's statement. Mr. Brian Lockhart, Architect, represented Ms. Patten. He prepared the plans for the facility. He spoke to the two factors that do not comply – that Staff recommended a private maintenance agreement which Ms. Patten agrees with. She also agrees that Luna Lane should be brought to County standards, and a commercial driveway installed. Ms. Patten plans to hire two employees plus she will be working also. Mr. Lockhart reiterated that this will be a commercial cultivation site for an off-site dispensary located in Mesa with little to no contact with the County or the neighborhood. The two employees will live on the adjoining parcel, so commercial traffic would be minimal. Ms. Patten will transport her own product to the dispensary in Mesa. Mr. Lockhart discussed the required security system, which must be approved by the State Department of Health Services. He addressed public concerns regarding dust, water use (a drip irrigation system using 10 gal per day), and indicated that flooding would not be an issue as the site is not in a major floodplain. He indicated that any issues with sheeting would be resolved by elevating the pre-manufactured greenhouse. It would not be a 'home-built' facility. Mr. Lockhart could not address the concerns about the potential for crime but assured the Commission that Ms. Patten would be happy to work with law-enforcement to allay any neighborhood fears. He restated that as a commercial use it is a very low-impact. He closed by asking for questions – Mr. Sanger asked about the estimated water use. Mr. Lockhart stated that this was Ms. Patten's estimate and that the water is coming from a shared use well. Upon further questioning, Mr.

Lockhart stated that with the drip system, even if it is more than 10 gpd, would be significantly less than a 3-4 person family living on the site.

He stated that at 50 gpd use per individual, a large family of nine or ten could use significantly more water than this proposed use. There were no other questions from the Commission.

Chair Lynch laid out some ground rules for public comment. He asked that comments be kept in the area of land use only as the laws regarding medical marijuana were adopted at the State level.

Ms. Patten described how she arrived at the decision to grow marijuana. She stated that this is a health issue and that 16 States now have medical marijuana legislation. She described the lack of State direction on this issue and the confusing issues surrounding it. Ms. Patten indicated that up to 126 dispensaries would be authorized by the State.

Chairman Lynch reiterated that State laws are not germane to the discussion and asked that all speakers respect this.

Heather Fuegott was the first speaker in opposition – she cited the safety of her four children and herself, the increased traffic, and the unwanted crime. She stated that she purchased this property four months ago and if she had known, she would not have bought and moved into this neighborhood.

Leyland Frederickson spoke with the same issues: safety of family, the potential increase of crime, the loss of a quiet, rural life-style, and strangers in the neighborhood. He questioned the water use estimate and the commercial use of the property in a residential area. He also is concerned about flooding on the existing infrastructure.

Patsy Gymont felt there were misconceptions in the staff memo regarding the number of residences in the area, and furnished photos to the Commission. She took issue with the staff photos and how they portrayed the neighborhood. Ms. Gymont indicated that Ms. Patten has owned the home for several years, but has never lived there and apparently feels that the neighborhood is substandard. She suggested that Ms. Patten's arguments are wrong, including the road conditions; the flooding potential; the drainage, and the amount of money needed to keep the roads passable. She would like to protect her own property and asked why the neighborhood would have to change their plans for Ms. Patten.

Kathleen Eisenbeis spoke of the 1975 deed restrictions placed on area properties by Mr. Malloy. She stated that the survey of the neighborhood has issues with boundaries and came to a head when Ms. Patten brought in utilities. Ms. Eisenbeis believes in the medical marijuana law and voted for it, but feels that a cultivation site so far away from a dispensary would fail to meet standards. She has returned home to Douglas and wants to allow her grandchildren to ride their ponies in the neighborhood. Her children want to move back to Douglas too, but wondered if it would be safe. She wants the County to be safe again and that this type of commercial venture shouldn't be located here where it endangers surrounding neighbors. It should be located closer to cities where it can be better protected.

Julie Comacho is absolutely opposed to someone growing pot in her backyard because of the violence it will bring. She believes in the medicinal uses of marijuana but that only reputable people should be allowed to grow it. She indicated that she has an ongoing dispute with Ms. Patten regarding the survey of properties.

Jennifer Ariano believes in medical marijuana but does not believe this is the right place for it. She mentioned an approved docket from last summer which had a warehouse and a secure area around it. Ms. Patten does not have that. She is married to a law-enforcement employee and indicated that he should not have to come home to find it in his back yard. She wants to know how she will be protected. She asked who designed the greenhouse and how will it be secured? Is it environmentally sound with the high winds and the flood plain area? How will she be protected if the wind destroys the greenhouse? She also mentioned vectors and chain-link fences—how can she be guaranteed that all the development standards would be met? She discussed the discrimination referred to in a letter from Ms. Patten. She doesn't understand the purpose of this project in this neighborhood.

Maria Rochella does not agree with locating this project in the neighborhood with children. She expressed how her ability to live out there for the rural benefits would be jeopardized by this project. She is afraid of the violence that will come with the use, and noted that her concerns are legitimate. She indicated that the neighbors are against this project, and Ms. Patten has options with many foreclosures and properties for sale that would be better suited for this use. She asked that this request be denied.

Ralph Adcock showed where his home is and that he owns another rental. There are 28 homes in this area and everyone is overwhelmingly opposed. He indicated that the photos were deceiving as to how close the homes are. He can already envision the 10-foot wall, the greenhouse, and the difficulty in selling his home someday. He is afraid of the bad guys that are going to be attracted by a 3,000 sq. ft. greenhouse. If the greenhouse is too difficult for them to break into, then they will probably look in his yard. He is also concerned about the traffic that would increase from law enforcement patrolling the site. He also is concerned about expansion of the greenhouse if it were approved.

Bruce Skipper indicated that has a special request. He talked to Ms. Patten over the past few days, and feels that he owes her an apology for things he has said. He spoke about a 20% rule that used to be in effect that allowed denial of a special use permit based on opposition in the neighborhood. He is concerned about his property values. What do we have to do as neighbors to convince the board that we don't want it? Crime is a real issue. He discussed street value of marijuana and how people kill for this. The Mexican cartels would be involved. He questioned Ms. Patten's level of concern for her neighbors.

Jim Guymon was the final speaker. He recalled that his first encounter with Ms. Patten was pleasant and she had expressed the desire to live in the neighborhood for the quietness and view. She is now trying to destroy the same neighborhood with a large fence, security cameras, and barbed wire. He asked that this board reject the application.

Chair Lynch then called on the Applicant to rebut. Mr. Lockhart addressed the issues brought up by neighbors, and indicated that four of the ten neighbors support medical marijuana, but not in their backyards.

Ms. Patten has owned the property adjacent for some time and grew up in Douglas. He indicated that flood lighting would not be an issue as they would not be allowed under the Cochise County Light Pollution Code. The issue of a flimsy building that would blow over would be resolved by the Building Code which requires a building permit and inspections. The traffic concerns were addressed by the County Staff with conditions which Ms. Patten has agreed to. The issue of crime cannot be addressed, but indicated that the State of Arizona would not approve this permit without the security being addressed. The State of Arizona is getting a lot of money out of the medical marijuana issue. Mr. Lockhart said that Cochise County would gain tax money from the permits, improvements to the roadway, and two gainfully employed people. The County has to approve any further expansion.

Ms. Patten then spoke about the petition that was handed out. She added the numbers in opposition differently than Mr. Skipper. She indicated that Mesa has the same issues on zoning for medical marijuana, and suggested that there doesn't seem to be anywhere in Arizona that opposition wouldn't occur. She asked that the Commission consider the bigger picture.

Chair Lynch then closed the public hearing. There being no discussion from the Commission, he called for the Planning Director's summary and recommendation.

Mr. Turisk stated that this issue has generated a lot of emotion, but Staff did take a lot of time to technically analyze this proposal. Staff is recommending conditional approval including a private maintenance agreement for maintaining the road; a commercial apron built to County standards; that the special use would be contingent on State approval; and the standard conditions regarding time limits, the signing of required documents and further expansion. If this docket is approved, Staff is recommending a modification from the maximum wall height to allow a taller wall as required per State standards.

Chair Lynch asked if the roads were County-maintained or if they were private. Mr. Turisk confirmed that the roads are private.

Ms. Edie asked if the private easement could restrict access. Mr. Turisk confirmed that on a private easement question, it would be resolved as a civil matter.

Chair Lynch asked for discussion. Mr. Martzke commented that there were a lot of people opposed, and that the State's uncertainty doesn't help. Fear of crime and implications for children seem to be the prevailing concerns. He reaffirmed that there seems to be a lot of opposition. Chair Lynch agreed with him.

Mr. Sanger commented on proposed water use, floodplain concerns, light pollution, and crime. He didn't think any of these questions were really answered. He is mostly concerned about crime being so close to the border.

Ms. Patten then stepped to the podium to speak about medical marijuana-related crime in Colorado and California, and indicated that there seems to be no increase in crime in Colorado.

Chair Lynch then asked if any other Commissioners had comments. He then stated that there are factors that the Commission can weigh when making these types of decisions. In his opinion, the opposition expressed was overwhelming.

He called for the motion – Mr. Martzke moved for approval of Docket SU-12-05. Ms. Edie seconded, there were no votes in favor and the Commission voted unanimously to deny the application.

Motion: Approve Docket SU-12-03 **Action:** Deny **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

Vote: Motion failed unanimously (**Summary:** Yes = 0, No = 7, Abstain = 0)

Yes: Mr. Martzke, Chair Lynch, Ms. Edie, Mr. Cervantes, Mr. Sanger, Mr. Brauchla.

Mr. Turisk gave the Director's report – both zonings the Commission recommended for approval in March and were forwarded to the Board of Supervisors were approved. Next month's meeting will include four dockets – two special use requests and two proposed Zoning Regulation amendments.

Chair Lynch asked if the Commission had any comments and asked if there were any planned absences.

Carlos De La Torre, Director of Community Development, added that, per the Commission's request, a special work session with the Board of Supervisors is scheduled for 2:30 pm on May 9th. This work session is to discuss the requirements for concept plans submitted as part of special use applications.

Chair Lynch then inquired about the email problems. Mr. Turisk asked if anyone is having problems because he hasn't heard from anyone. Mr. De La Torre assured Chair Lynch that Staff would contact each member and resolve their issues.

Item 8 – ADJOURNMENT: Mr. Martzke moved to adjourn, Mr. Montañño seconded, and the meeting was adjourned at 6:52 p.m.



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Carlos De La Torre, P.E., Director

MORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Beverly Wilson, Senior Planner *WV*
For: Carlos De La Torre, Community Development Director
SUBJECT: Docket SU-12-07 (Mayne)
DATE: April 27, 2012 for the May 9, 2012 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant seeks a Special Use Authorization for a retail gun sales store, an animal hospital, and to legitimize an existing propane distribution and storage business on a 4.52-acre property in a Rural, RU-4 (one dwelling per four-acres) Zoning District. These uses are permitted with a Special Use authorization under Section 607.22 for retail sales, Section 607.06 for animal hospitals, and Section 607.18 for distribution and storage of propane. The Applicant established a retail livestock feed and supply store with a Special Use Permit in 1990. The subject parcel (Parcel # 107-72-039D) is located at 5357 S. Moson Road, in the rural- residential area southeast of Sierra Vista. The Applicant is Richard Mayne.



This photo shows the retail feed and supply store.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

<u>Size:</u>	4.52-Acres
<u>Zoning:</u>	RU-4 (Rural, 1 dwelling per 4 acres)
<u>Growth Area:</u>	Category D - Rural
<u>Plan Designation:</u>	Rural Residential
<u>Area Plan:</u>	Sierra Vista Sub-watershed
<u>Existing Uses:</u>	JEM's Feed Store
<u>Proposed Uses:</u>	Retail gun store inside existing store, and an animal hospital in the existing accessory building.

Surrounding Zoning

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural-Residential
South	RU-4	Rural-Residential
East	RU-4	Rural-Residential
West	RU-4	Rural-Residential



Storage building—interior would be remodeled to house the future animal hospital.

II. PARCEL HISTORY

- 1988—permit issued for field fencing
- 1988—permit issued for mobile home
- 1990—Special Use Permit issued for Livestock Feed and Supply Store
- 1992—permit issued for 1,200 sq. ft. feed store
- 1990—permit issued for 1,500 sq. ft. pole barn to store feed
- 1996—permit issued for 1,200 sq. ft. addition to feed store
- 2003—permit issued for 720 sq. ft. addition to pole barn

2008—permit issued for 1,200 sq. ft. storage building

III. PROJECT DESCRIPTION

JEM's Feed Store currently consists of a retail store, a large hay barn, and a 1,200 sq. ft. storage building. The business also sells propane from an on-site small storage tank. The Applicant seeks a Special Use Authorization in order to add a retail gun store inside the existing feed store, install an animal hospital in the existing storage building, and legitimize the sale of propane. All planned construction will be inside the existing structures.

IV. COMPLIANCE WITH SPECIAL USE FACTORS (SECTION 1716.02)

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend approval for a Special Use Permit, as well as to determine what conditions and/or modifications may be needed. Nine of the 10 criteria apply to this request. The project complies with eight factors, one factor complies with modifications, and one factor does not apply.

A. Compliance with Duly Adopted Plans: Does Not Apply

There are no master development plans or transportation plan adopted in this area. However, the project site is within the Sierra Vista Sub-watershed, and thus is subject to the water conservation requirements of the Sub-watershed Plan. Compliance with the Plan is addressed in Section J (Water Conservation) below.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposal complies with the Rural Zoning District purpose statements as found in Section 601 of the Zoning Regulations. The animal hospital and propane sales will complement the livestock feed and supply store in providing a service to the surrounding rural and rural-residential neighborhoods, and the retail gun store will serve rural gun owners in the area.

C. Development along Major Streets: Complies

Access to the site is from Moson Road, a County maintained rural minor collector road. The Applicant obtained a right-of-way permit in 1989 for a residential driveway.

D. Traffic Circulation Factors: Complies

The site is not accessed from a residential street. Transportation Planner comments indicate that these expansion of uses will fall within the average daily trip range for access to Moson Road.

E. Adequate Services and Infrastructure: Complies

The Applicant has provided sufficient data to evaluate the potential traffic impacts of the proposed expansion of sales and services. The proposed uses will require a new sanitary sewer system to accommodate the plumbing and fixtures required for the animal hospital and the additional employees, which will be enforced through the commercial permitting process.

Highway Staff has noted that a new commercial access apron will be required to connect the site to Moson Road. The new apron will also require a wider turning radius of 35' to facilitate the large trucks delivering supplies to the store. This requirement will also be enforced through the Commercial Permitting process.

F. Significant Site Development Standards: Complies (with Requested Waiver)

Site development standards, including setbacks, distance between buildings, maximum height, and maximum site coverage are all met with this Application. However, if approved, a new site plan must be submitted at the commercial permit phase to reflect the following parking requirements: six parking spaces for the retail store and six parking spaces for the animal hospital. In addition, access from the existing handicapped parking stall to both buildings must be installed per the development standards.

Staff is supporting a waiver for the screening requirements for this site, as the feed store has operated for over 20 years with no neighborhood complaints.

The site development standards for landscaping, and outdoor lighting are not required in the Rural areas. However, the Applicant would be required to comply with all requirements from the Health Department and the Highway and Floodplain department.



The existing metal building used to store hay and other livestock feeds is shown above.

G. Public Input: Complies

The Applicant completed the Citizen Review Report as required. A copy of the letter mailed to the neighborhood is attached (see Attachment D). The Applicant reports that he received two responses supporting the proposed uses, and one neighbor with questions who did not offer either support or protest for the new uses.

H. Hazardous Materials: Complies

The application includes a completed Hazardous Materials information sheet along with the Material Safety Data Sheet as required. Propane instantly disperses into the air, and in the event of a leak, the emergency shut-off valves would be utilized. JEM's Feed was issued a permit from the State Fire Marshall when the storage tank was initially installed. The permit would be submitted with the commercial permit application.

I. Off-site Impacts: Complies

JEM's Feed store has been in operation for over 20 years with no complaints from the surrounding neighborhood. Because the new gun store and animal hospital would be installed in existing structures, the impacts expected from interior remodeling would be few. In addition, the site is of sufficient size to accommodate these uses, and additional traffic generated by the proposed uses would be minimal and would not negatively impact the quality of life for nearby residents.

J. Water Conservation: Complies

Low flow plumbing fixtures are proposed for the new needs of the animal hospital. There is no planned landscaping and existing vegetation is native and thus drought-tolerant. An air conditioner would be installed for the animal hospital rather than a swamp cooler.

V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 1,500 feet. Staff posted the property on April 23, 2012 and published a legal notice in the *Bisbee Observer* on April 19, 2012. To date, the Department has received seven letters in support of the proposed uses, and four letters opposing the Special Use request.

VI. SUMMARY**Factors in Favor of Allowing the Special Use**

1. Nine of the 10 factors used to analyze this request apply. The project complies with eight factors; one factor would comply with requested modifications, while one factor did not apply.
2. Seven neighboring property owners support the request and the availability of products and goods in the neighborhood. Strong support was also expressed for the services of an affordable animal hospital closer to home.
3. This request will utilize existing structures to facilitate the new uses, which will not change the existing character of the rural neighborhood.
4. The proposed expansion of sales and services are typically found in the Rural areas of the County and represent an expansion of a long-established use.
5. Minimal additional traffic would be generated.

Factors Against Approval

1. Four neighboring property owners oppose the request.

VII. RECOMMENDATIONS

Based on the factors in favor of approval, Staff recommends **conditional approval** of the Special Use request, with the following conditions:

1. Within thirty (30) days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. The Applicant shall apply for a building/use permit for the project within one year of approval, such application to include a completed joint permit application. The building/use permit shall include a revised, complete commercial permit questionnaire and an updated site plan in conformance with all applicable site development standards except as modified by the Commission, and with Section 1705 of the Zoning Regulations. A permit must be issued within 18 months of Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant.
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations.
3. Any changes to the approved special use shall be subject to review by the Planning Department and may require a modification and approval by the Planning and Zoning Commission.

VIII. REQUESTED MODIFICATIONS TO SITE DEVELOPMENT STANDARDS

Staff supports the following modification to site development standards:

1. A waiver for the screening requirements in the Rural-Residential neighborhood.

Sample Motion: *Mr. Chairman, I move to approve Docket SU-12-07 based on the Factors in Favor of approval as findings of fact, with the conditions of approval and requested modifications to development standards as recommended in the staff report.*

IX. ATTACHMENTS

- A. Special Use Application
- B. Location Map
- C. Site Plan
- D. Citizen Review Report
- E. Support/Protest letters



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning & Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

**COCHISE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER: 107-72-039D ZONING DISTRICT RU4

APPLICANT: Richard MAYNE

MAILING ADDRESS: 5373 S. Moson Rd Sierra Vista, AZ 85650

CONTACT TELEPHONE NUMBER: 520 378-0057 JARROD MAYNE 520266-0606

PROPERTY OWNER (IF OTHER THAN APPLICANT): _____

ADDRESS: 5373 S. Moson Rd
Sierra Vista, AZ 85650

DATE SUBMITTED: _____

Special Use Permit Public Hearing Fee (if applicable)

\$ _____

Building/Use Permit Fee

\$ _____

Total paid

\$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (9) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. **(In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)**
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Citizen Review Report, if special use.

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6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
7. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? RETAIL FEED/FARM Supply Store
2. What is the proposed use or improvement? 607-22 Retail Gun Shop
607-06 Animal Hospital, Vet Clinic
607-18 selling/storing PROPANE
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? Vet exams, surgery, vaccinations,
~~note~~ retail firearms & ammunition, retail propane. everything will
be enclosed, no impact of surrounding properties

\$ A

4. Describe all intermediate and final products/services that will be produced/offered/sold.

Surgery, exams, Vaccinations for dogs + cats. Propane,
SALE of firearms, accessories + ammunition

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

Existing buildings. One is metal the other is wood + block

6. Will the project be constructed/completed within one year or phased? One Year _____

Phased ___ if phased, describe the phases and depict on the site plan.

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 6 Hours (from 9 AM to 5:30 PM)

B. Number of employees: Initially: 4 additional Future: _____
Number per shift Seasonal changes _____

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

20-30 additional vehicles per day

(2) Total trucks (e.g., by type, number of wheels, or weight)

1-2 additional UPS/Fedex Trucks per week

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

North + south bound traffic on Mason Rd

(4) If more than one direction, estimate the percentage that travel in each direction

50% each way

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest

9-10 am 4-5pm daily

D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

Estimated total gallons of water used: per day 25 per year 9,000

E. Will you use a septic system? Yes ☒ No ☐ If yes, is the septic tank system existing? Yes ☒ No ☐
Show the septic tank, leach field and 100% expansion area on the site plan.

F. Does your parcel have permanent legal access*? Yes ☒ No ☐
If no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one): ☐ private road or easement**
☐ County-maintained road
☐ State Highway

**If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached ☐ NA ☐

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Private Well	
Sewer/Septic	Septic	
Electricity	SSUEC	
Natural Gas	NA	
Telephone	Century Link	
Fire Protection	Fry Fire	

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

Filling of Propane Tank

2. Will outdoor storage of equipment, materials or products be needed? Yes X No ___ if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. The propane tank is the only thing outdoor -
location on site map
3. Will any noise be produced that can be heard on neighboring properties? Yes ___ No X if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? _____

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No X if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____

5. Will odors be created? Yes ___ No X If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____

6. Will any activities attract pests, such as flies? Yes ___ No X If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____

7. Will outdoor lighting be used? Yes ___ No X If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
8. Do signs presently exist on the property? Yes X No ___ If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. Free Standing
5x8 sign

B. _____ C. _____ D. _____

9. Will any new signs be erected on site? Yes ___ No X If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ___ No X

If yes, will storm water be directed into the public right-of-way? Yes ___ No ___

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ___ No X

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)
5/8" Gravel

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No X If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development, Planning, Zoning & Building Safety Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site is one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

2. How many acres will be cleared? None
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

No X Yes _____ If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature _____

Date signed _____

Does permit include any proposed automatic outdoor sprinkler systems? ☐ Yes ☒ No

If Yes, then system shall include rain or humidity sensors.

Is the *Outdoor Sprinkler System* depicted on Plans (site or construction)? ☐ Yes ☐ No

Evaporative Coolers: New or replacement evaporative coolers shall not be single-pass coolers.

Does permit propose any new or replacement of evaporative coolers? ☐ Yes

If Yes, then evaporative coolers shall not be single-pass, i.e. non-re-circulating.

Evaporative Coolers depicted on Plans and Cut-Sheets provided (site or construction)? ☐ Yes

NON-RESIDENTIAL PERMITS:

Commercial Laundry Facilities: Laundry facilities intended for public use such as laundromats, hotel guest laundries or multi-family housing laundry rooms will be equipped with high efficiency washing machines that have a water factor of 9.5 gallons per each cubic foot of laundry or less. This provision applies to initial establishment of new laundry facilities and on replacement of existing equipment due to normal wear and tear or other loss.

Non-residential only, if applicable, describe make and model of proposed high efficiency washing machines: _____

Are Equipment Cut-Sheets Provided? ☐ Yes ☒ N/A

Artificial Water Features: New artificial water features such as ponds, lakes, water courses, and other types of decorative water features are prohibited in any new commercial construction or in common user areas of multi-family housing unless their sole source is harvested rainwater. This provision does not pertain to required storm water detention/retention facilities or permitted swimming pools and spas.

Non-residential permits only: Any artificial water features proposed? ☐ Yes (if yes, sole source is harvested rainwater? ☐) or ☐ None proposed

Are they depicted on Construction Plans (site or construction)? ☐ Yes ☒ N/A

Landscaping: Any new landscaping proposing irrigation installation or re-installation in a median or similar strip of permeable surface less than fifteen feet in any horizontal dimension, adjacent to a roadway, sidewalk, parking area or other paved or impermeable area, shall be irrigated by a subsurface (drip), non-sprinkling irrigation system.

Does permit propose any irrigated landscaped medians less than 15 feet wide? ☐ Yes ☐ No

If Yes, then system shall be irrigated by a subsurface (drip), non-sprinkling irrigation system.

Are Landscaped Medians depicted on Plans (site or construction)? ☐ Yes

By signing below, I (the applicant) hereby acknowledge that the information provided above is accurate and true, subject to minor revisions that are in conformance with the County's regulations as they relate to the requirements of the Sierra Vista Sub-Watershed Water Conservation Overlay District, and that said information may be verified through the County's building permit review and inspection process.

RICHARD MAYNE
Applicant's Name (printed) and Signature

7/27/12
Date

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**COMMUNITY DEVELOPMENT DEPARTMENT****Planning, Zoning and Building Safety**

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Hazardous Materials AttachmentFirm's current name: JEM'S FEEDCurrent location: 5373 Mason Rd Sierra Vista AZ 85650Fire district: FRVNearest main intersection with street names: RAMSEY Rd + Mason RdDistance: 1/4 milesDirection: South**Firm's previous location(s)**

Previous name(s) of firm/operation: _____

Previous location(s): _____ Date(s): _____

Previous compliance/accident history: _____

Date(s): _____

1. List hazardous and polluting materials (including raw materials, products, wastes, emissions, discharges, etc.) that will be brought to, stored, manufactured, produced, generated, processed or otherwise used at or released or transferred from the site and the quantities you will store. Material Safety Data Sheets (MSDS) are required for all such substances.

Material PROPANE Quantity 800 GAL

Material _____ Quantity _____

Material _____ Quantity _____

Material _____ Quantity _____

2. How will substances be stored? (For example, automotive batteries require impervious flooring, flammables require NFPA 30 cabinets, gas cylinders need restraints, and many chemicals have specific requirements, such as secondary containment areas for liquids. These requirements are found in the MSDS or can be requested from ADEQ.)

1,000 GAL PROPANE TANK

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3. What methods will ensure proper containment during use or ventilation? (Waste and by-products as well as substances have specific needs to control damage from those products.)

Container is outside away from buildings. Propane disperses instantly in the air.

4. Is any welding being performed and where? (Flammables must be kept away from sources of ignition such as electricity, arcs, sparks, hot metal or open flame. Gas cylinders must be secured.)

No

5. How will waste/ excess substances be disposed of? (Commercial operators may not use the County transfer stations' hazardous waste program. They handle only household materials.)

Evaporation

6. What evacuation, treatment and notification will be made if there are any releases to groundwater or air? (Notification may be required to the Sheriff's Department, adjacent neighborhoods, State Fire Marshal, local fire district, ADEQ, and/ or EPA.)

In the event of a leak all emergency shutoffs will be flipped, area around the tanks will be blocked off and fire department will be notified. There is no risk for contamination

Signature

Date 25 APR 12

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

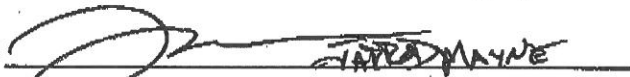
No _____ Yes ☒ If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

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Applicant's Signature



Date signed

25 APR 12

17a

MATERIAL SAFETY DATA SHEET FOR ODORIZED PROPANE

1. Chemical Product and Company Identification

Product Name: Odorized Commercial Propane**Chemical Name:** Propane**Chemical Family:** Paraffinic Hydrocarbon**Formula:** C₃H₈**Synonyms:** Dimethylmethane, LP-Gas, Liquefied Petroleum Gas (LPG), Propane, Propyl Hydride**Transportation Emergency Number:****CHEMTREC 1-800-424-9300****Name & Address:****AmeriGas Propane, L.P.****P. O. Box 966****Valley Forge, PA. 19482****For General Information, Call:****1-610-337-1000, Safety Dept.**

2. Composition / Information on Ingredients

INGREDIENT NAME /CAS NUMBER	PERCENTAGE	OSHA PEL	ACGIH TLV
Propane / 74-98-6	87.5 - 100	1,000 ppm	Simple asphyxiant
Ethane / 74-84-0	0 - 7.0		Simple asphyxiant
Propylene / 115-07-1	0 - 5.0		Simple asphyxiant
Butanes / 106-97-8	0 - 2.5	0.5 ppm	Simple asphyxiant
Ethyl Mercaptan / 75-08-1	0 - 50 ppm		0.5 ppm

WARNING: The intensity of the chemical odorant (e.g., ethyl mercaptan) may "fade" or diminish due to chemical oxidation, adsorption or absorption. Individuals with nasal perception problems may not be able to smell the odorant. Leaking propane from underground gas lines may lose its odor as it passes through certain soils. No odorant is effective 100% of the time. Therefore, circumstances can exist when individuals are in the presence of leaking propane and not be alerted by the smell. Contact AmeriGas for more information about odor, propane gas detectors and other safety considerations associated with the handling, storage and use of propane.

3. Hazards Identification

EMERGENCY OVERVIEW

DANGER! Flammable liquefied gas under pressure. Keep away from heat, sparks, flame, and all other ignition sources. Vapor replaces oxygen available for breathing and may cause suffocation in confined spaces. Use only with adequate ventilation. Reliance upon detection of odor may not provide adequate warning of potentially hazardous concentrations. Vapor is heavier than air; may collect at low levels. Liquid can cause freeze burn similar to frostbite. Do not get liquid in eyes, on skin, or on clothing. Avoid breathing vapor. Keep service valve closed when not in use.

FIRE HAZARD
(Red)**HEALTH HAZARD**
(Blue)**REACTIVITY**
(Yellow)

SPECIAL HAZARDS*

Minimal 0
Slight 1Moderate 2
Serious 3Severe 4
*(Ref. NFPA 704)

POTENTIAL HEALTH EFFECTS INFORMATION

ROUTES OF EXPOSURE:

Inhalation: Asphyxiation. Before suffocation could occur, the lower flammability limit of propane in air would be exceeded, possibly causing both an oxygen-deficient and explosive atmosphere. Exposure to concentrations >10% may cause dizziness. Exposure to atmospheres containing 19% or less oxygen will bring about unconsciousness without warning. Lack of sufficient oxygen may cause serious injury or death.

Eye Contact: Contact with liquid can cause freezing of tissue.

Skin Contact: Contact with liquid can cause frostbite.

Skin Absorption: None.

Ingestion: Ingestion is not expected to occur in normal use. However, liquid can cause freeze burn similar to frostbite.

CHRONIC EFFECTS: None.**CARCINOGENICITY:** Propane is not listed by NTP, OSHA or IARC.

4. First Aid Measures

INHALATION: Individuals suffering from lack of oxygen should be removed to fresh air. If victim is not breathing, administer artificial respiration. If breathing is difficult, administer oxygen. Obtain immediate medical assistance.

EYE CONTACT: Gently flush eyes with lukewarm water. Obtain immediate medical assistance.

SKIN CONTACT: Remove saturated clothes, shoes and jewelry. Immerse affected area in lukewarm water not exceeding 105° F. Keep immersed. Obtain immediate medical assistance.

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INGESTION: If swallowed, obtain immediate medical assistance.

5. Fire-Fighting Measures

FLASH POINT: -156°F (-104°C)

AUTOIGNITION: 842°F (432°C)

IGNITION TEMPERATURE IN AIR: 920°F to 1120°F (493°C to 549°C)

FLAMMABLE LIMITS IN AIR (% by volume): Lower: 2.15% Upper: 9.6%

EXTINGUISHING MEDIA: Dry chemical, CO₂, water spray or fog for surrounding area. Do not attempt to extinguish fire until propane source is isolated.

SPECIAL FIRE-FIGHTING INSTRUCTIONS: Evacuate all unnecessary personnel from the area. Allow only properly trained and protected emergency response personnel in area. A NIOSH approved self-contained breathing apparatus may be required. If gas flow cannot be shut off, do not attempt to extinguish fire. Allow fire to burn itself out. Use high volume water supply to cool exposed pressure containers and nearby equipment. Approach a flame-enveloped container from the sides, never from the ends. Use extreme caution when applying water to a container that has been exposed to heat or flame for more than a short time. For uncontrollable fires and/or when flame is impinging on container, withdraw all personnel and evacuate vicinity immediately.

UNUSUAL FIRE AND EXPLOSION HAZARDS: Propane is heavier than air and can collect in low areas. Flash back along a vapor trail is possible. Pressure in a container can build up due to heat; and, container may rupture suddenly and violently without warning if pressure relief devices fail to function properly. If flames are against the container, withdraw immediately on hearing a rising sound, if venting increases in volume or intensity or if there is discoloration of the container due to fire. Propane released from a properly functioning relief valve on an overheated container can also become ignited.

HAZARDOUS COMBUSTION PRODUCTS: None.

6. Accidental Release Measures

IF MATERIAL IS RELEASED OR SPILLED: Evacuate the immediate area. Eliminate any possible sources of ignition and provide maximum ventilation. Shut off source of propane, if possible. If leaking from container or valve, contact your supplier or AmeriGas immediately.

7. Handling and Storage

HANDLING PRECAUTIONS: Propane vapor is heavier than air and can collect in low areas that are without sufficient ventilation. Conduct system checks for leaks with a leak detector or solution, never with flame. Make certain the container service valve is shut off prior to connecting or disconnecting. If container valve does not operate properly, discontinue use and contact AmeriGas. Never insert an object (e.g., wrench, screwdriver, pry bar, etc.) into pressure relief valve or cylinder valve cap openings. Do not drop or abuse cylinders. Never strike an arc on a gas container or make a container part of an electrical circuit. See Section 16, "OTHER INFORMATION", for additional precautions.

STORAGE PRECAUTIONS: Store in a safe, authorized location (outside, detached storage is preferred) with adequate ventilation. Specific requirements are listed in NFPA 58, LP-GAS CODE. Isolate from heat and ignition sources. Containers should never be allowed to reach temperature exceeding 125°F (52°C). Isolate from combustible materials. Provide separate storage locations for other compressed and flammable gases. Propane containers should be separated from oxygen cylinders or other oxidizers by a minimum distance of 20 feet, or by a barrier of non-combustible material at least 5 feet high having a fire rating of at least 1/2 hour. Full and empty cylinders should be segregated. Keep cylinders in an upright position at all times so that each pressure relief valve communicates with the vapor space. Keep container valve closed and plugged or capped when not in use. Install protective caps when cylinders are not connected for use. Empty containers retain some residue and should be treated as if they were full.

8. Exposure Control / Personal Protection

ENGINEERING CONTROLS

Ventilation: Provide ventilation adequate to ensure propane does not reach a flammable mixture.

RESPIRATORY PROTECTION

General Use: None.

Emergency Use: If concentrations are high enough to warrant supplied-air or NIOSH self-contained breathing apparatus, then the atmosphere may be flammable (See Section 5). Appropriate precautions must be taken regarding flammability.

PROTECTIVE CLOTHING: Avoid skin contact with liquid propane because of possibility of freeze burn. Wear gloves and protective clothing that are impervious to the product for the duration of the anticipated exposure.

EYE PROTECTION: Safety glasses, goggles or face shields are recommended when handling cylinders.

OTHER PROTECTIVE EQUIPMENT: Safety shoes are recommended when handling cylinders.

19A

9. Physical and Chemical Properties

BOILING POINT: @ 14.7 psia = -44° F (@1.00 atm.pressure = -42°C)

SPECIFIC GRAVITY OF VAPOR (Air = 1) at 60° F (15.56°C): 1.50

SPECIFIC GRAVITY OF LIQUID (Water = 1) at 60° F: 0.504

VAPOR PRESSURE: @ 70° F (20°C) = 127 psig; @ 105° F (45°C) = 210 psig; @ 130°F (55°C) = 287 psig

EXPANSION RATIO (From liquid to gas @ 14.7 psia): 1 to 270

SOLUBILITY IN WATER: Slight, 0.1 to 1.0%

APPEARANCE AND ODOR: A colorless and tasteless gas at normal temperature and pressure. An odorant (ethyl mercaptan) is added to provide a strong unpleasant odor. Should a propane-air mixture reach the lower limits of flammability, the ethyl mercaptan concentration will be approximately 0.5 ppm in air.

ODORANT WARNING: Odorant is added to aid in the detection of leaks. One common odorant is ethyl mercaptan, CAS No. 75-08-1. Odorant has a foul smell. The ability of people to detect odors varies widely. Also, the odor level can be reduced by certain chemical reactions with material in the propane system or when fugitive propane gas from underground leaks passes through certain soils. No odorant will be 100% effective in all circumstances. If the presence of the odorant is not obvious, notify AmeriGas immediately.

10. Stability and Reactivity

STABILITY: Stable.

Conditions to Avoid: Keep away from high heat, strong oxidizing agents and sources of ignition.

REACTIVITY:

Hazardous Decomposition Products: Under fire conditions, fumes, smoke, carbon monoxide, aldehydes and other decomposition products. In most applications where there is inadequate venting to the outside air, incomplete combustion will produce carbon monoxide (a toxic gas) and potentially develop concentrations that can create a serious health hazard.

Hazardous Polymerization: Will not occur.

11. Toxicological Information

Propane is non-toxic and is a simple asphyxiant. It has slight anesthetic properties. Higher concentrations may cause dizziness.

IRRITANCY OF MATERIAL: None.

SENSITIZATION TO MATERIAL: None

REPRODUCTIVE EFFECTS: None

MUTAGENICITY: None

TERATOGENICITY: None

SYNERGISTIC MATERIALS: None

12. Ecological Information

No adverse ecological effects are expected. Propane does not contain any Class I or Class II ozone-depleting chemicals (40 CFR Part 82). Propane is not listed as a marine pollutant by DOT (49 CFR Part 171).

13. Disposal Considerations

WASTE DISPOSAL METHOD: Do not attempt to dispose of residual or unused product in the container; return it to your supplier or contact AmeriGas for safe disposal. Residual product within a process system may be burned at a controlled rate if a suitable burning unit is available on site, and is done in accordance with federal, state and local regulations.

14. Transport Information

DOT SHIPPING NAME: Liquefied Petroleum Gas

SHIPPING LABEL (S): Flammable Gas

IDENTIFICATION NUMBER: UN 1075

PLACARD (WHEN REQUIRED): Flammable Gas

IMO SHIPPING NAME: Propane

SPECIAL SHIPPING INFORMATION: Container must be

IMO IDENTIFICATION NUMBER: UN 1978

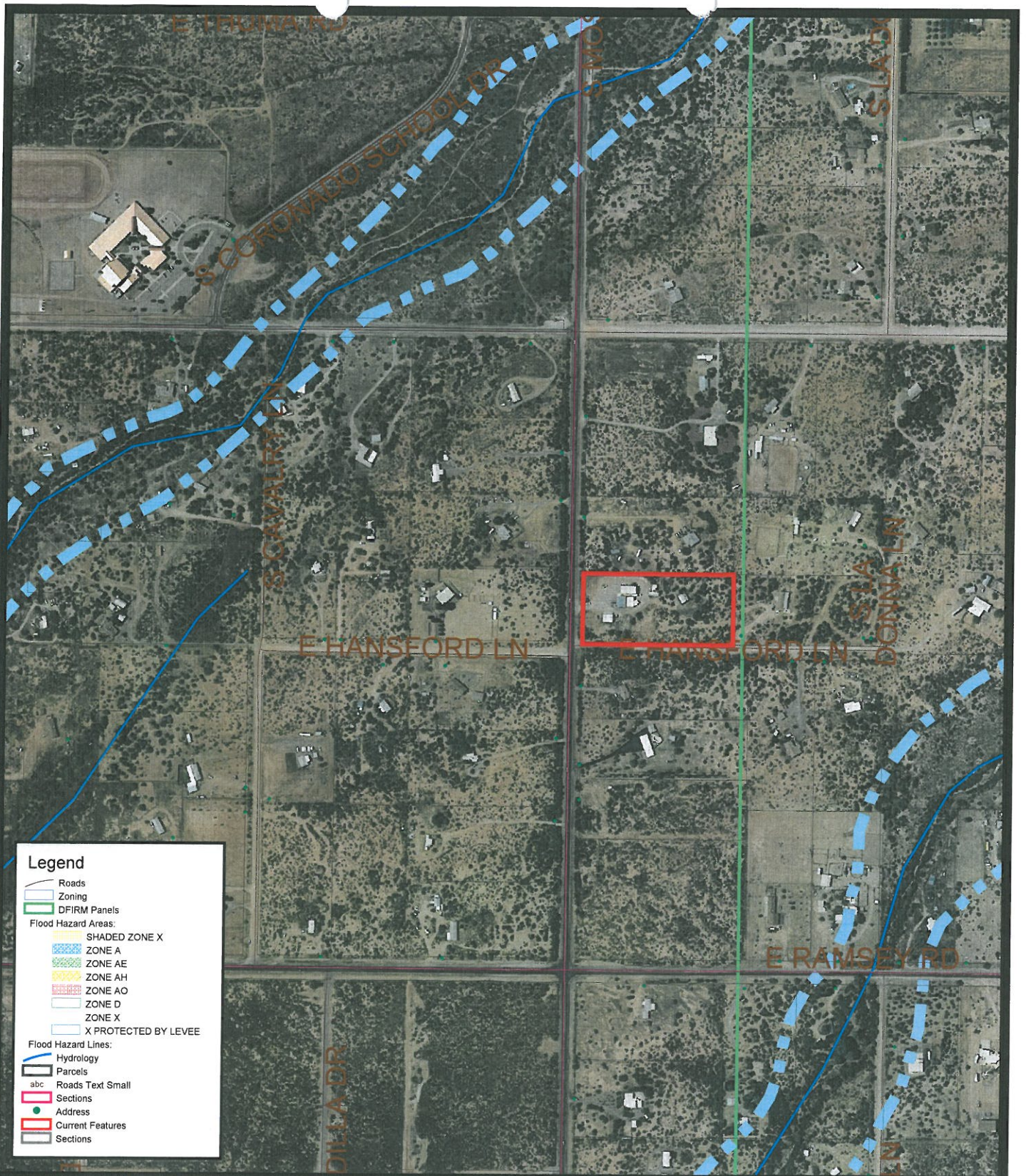
transported in a well-ventilated vehicle, secured, and in a

HAZARD CLASS: 2.1 (Flammable Gas)

position such that the pressure relief device is in communication

PRODUCT RQ: None

with the vapor space.

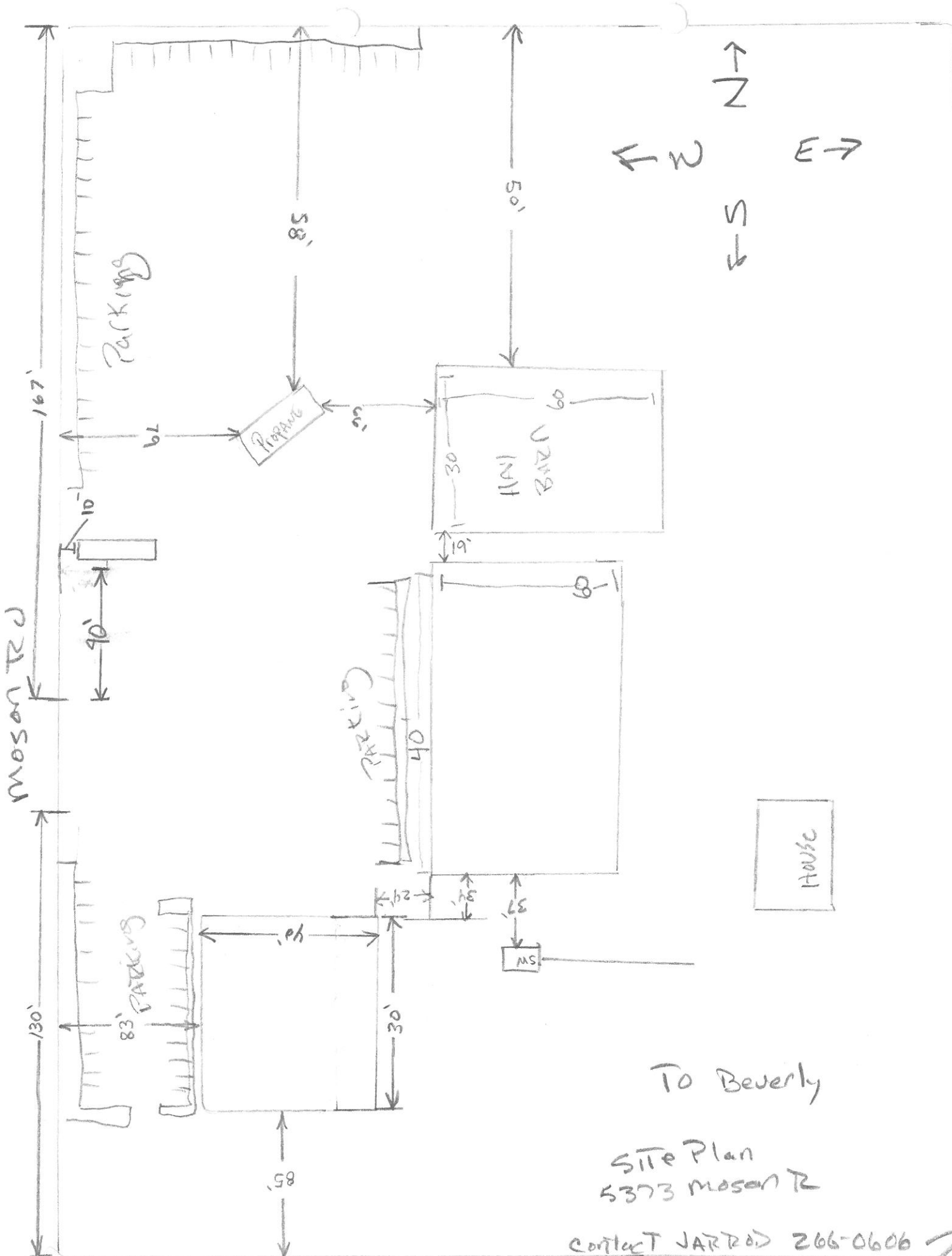


Richard Mayne
 Parcel 107-72-039D
 5373 S Moson Road
 Sierra Vista, AZ 85650

This map is a product of the
 Cochise County GIS



21
 B



Site Plan
5373 Moson Rd

Contact JARROD 266-0606

HAUS for LVI

22

Dear Neighbor,

I am writing to inform you of our desire at JEM's Feed to amend our current special use permit for the property. This property is located at 5373 S Moson Rd (the North-East corner of Moson Rd and Hansford Ln). Our current business providing animal feed and supplies will remain unchanged; however, we wish to pursue the following business opportunities to better serve our customers and our community:

The first would allow an Animal Hospital, Vet Clinic and/or Animal Husbandry facility. We currently offer a low cost vaccination clinic to our customers once a month, but the growing demand for these services coupled with the rising costs at other local clinics has brought about the need for a permanent full-time facility.

The second amendment would allow for the sale of ammunition, firearms and accessories.

The final change covers the storage and sale of propane. We currently sell propane; however, when our tank was installed, the only regulation that was required was an inspection from the fire marshal. Since that time the regulations have changed and the county now requires a special use permit on all new retail tanks. Even though we are "grandfathered" in under the old regulations and are not required to do so, we wish to apply for a special use permit to bring us up to date with all current codes.

While modifications will need to be made to the existing buildings if we were to take on the first two proposed amendments, no new buildings will need to be constructed. If you have any questions or concerns about the changes we are proposing please contact me at:

Phone 520-378-0057

Email jarrod@jemsfeed.com

Or stop in the store Mon-Fri 9:00am – 5:30pm, Sat 9:00am – 4:00pm

Thank you,

Jarrold Mayne
Manager
JEM's Feed

23
D

SPECIAL USE: Docket SU-12-07 **COCHISE COUNTY**
(Mayne)

APR 23 2012

PLANNING

☒ **YES, I SUPPORT THIS REQUEST**

Please state your reasons: This area needs affordable
health care for animals (hopefully large ones too!)
The propane STPS is good, also...
Vet needs will be met at affordable
fees, and it's a real service to this
area. Not having to go to town is great, too!

☐ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S): VIRGINIA M. Doran _____

SIGNATURE(S): Virginia M. Doran _____

YOUR TAX PARCEL NUMBER: 104-71-007A (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 7772 E. Ramsey Rd.

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RETURN TO: Beverly Wilson, Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
Email: bjwilson@cochise.az.gov
Fax: (520) 432-9278

24_E

SPECIAL USE: Docket SU-12-07
(Mayne)

X **YES, I SUPPORT THIS REQUEST**

Please state your reasons: _____

The more local we can get business the better
with gas prices high

____ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S):

Luverne E. Gries

SIGNATURE(S):

Luverne E. Gries

YOUR TAX PARCEL NUMBER: 109750021 (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS _____

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COCHISE COUNTY

APR 20 2012

PLANNING

25

**SPECIAL USE: Docket SU-12-07
(Mayne)**

____ **YES, I SUPPORT THIS REQUEST**

Please state your reasons: _____

it would be nice To have
a vet clinic and animal hospitals, close
by, won't have to drive so town
anymore. I am all For it.

____ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S):

Jocelyne C AREVALO

SIGNATURE(S):

Jocelyne C Arevalo

YOUR TAX PARCEL NUMBER:

107-72-006-8

(the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS

7913 E Ramsey road Sierra Vista AZ 85650

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COCHISE COUNTY

APR 20 2012

PLANNING

26
E

SPECIAL USE: Docket SU-12-07
(Mayne)

☒ **YES, I SUPPORT THIS REQUEST**

Please state your reasons: We agree with this Special Use
Permit because it will add availability
of those choices in the area.

☐ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S):

Anthony Fasciola Mariann Fasciola

SIGNATURE(S):

Anthony Fasciola Mariann Fasciola

YOUR TAX PARCEL NUMBER: 107 75 003 A (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 5451 S Cavalry Lane Sierra Vista, AZ 85650

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COCHISE COUNTY

APR 20 2012

PLANNING

27
E

SPECIAL USE: Docket SU-12-07
(Mayne)

X **YES, I SUPPORT THIS REQUEST**

Please state your reasons: IT would be an asset to our
area to have a store for metal (fire
arms & ammo, animal hospital - much needed
in our area, veterinary clinic & animal
husbandry, definitely propane because
we have had that service for years.

 NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S):

Donald D. Long Dawn H. Long

SIGNATURE(S):

Donald D. Long Dawn H. Long

YOUR TAX PARCEL NUMBER:

107-75-0021

(the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS

7428 E Madera Dr. Sierra Vista, AZ
85632

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COCHISE COUNTY

APR 20 2012

PLANNING

28

SPECIAL USE: Docket SU-12-07 (Mayne)

☒ YES, I SUPPORT THIS REQUEST

Please state your reasons:

*I fully support hunting program,
firearms & veterinary services near my
property.*

☐ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Kresent O. Gurtler

SIGNATURE(S):

[Signature]

YOUR TAX PARCEL NUMBER: *10772039059* (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS *5351 S. Mason Rd. Sierra Vista, AZ 85600*

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1415 Melody Lane, Building E

Bisbee, AZ 85603

Email: bjwilson@cochise.az.gov

Fax: (520) 432-9278

29

**SPECIAL USE: Docket SU-12-07
(Mayne)**

☒ **YES, I SUPPORT THIS REQUEST**

Please state your reasons: I have found the business at

that location to be an asset to the local Area

Over the years the site has changed for the better as
things permit and my belief the added uses will not
adversely affect the area but bring services closer.

☐ **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S):

Jim Davis

SIGNATURE(S):

[Signature]

YOUR TAX PARCEL NUMBER: 107-72-020N 1 (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 7868 E Mader Dr., Sierra Vista, AZ 85650

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COCHISE COUNTY

APR 26 2012

PLANNING

30

SPECIAL USE: Docket SU-12-07 (Mayne)

 YES, I SUPPORT THIS REQUEST

Please state your reasons: _____

 X NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: PLEASE SEE ATTACHED

(Attach additional sheets, if necessary)

Titled in name of Abingdon Investments LLC

PRINT NAME(S):

John E. Holder

SIGNATURE(S):

John E. Holder

YOUR TAX PARCEL NUMBER: 107-72-010- 9 (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS

PO Box 60 Patagonia AZ 85624

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1415 Melody Lane, Building E

Bisbee, AZ 85603

Email: bjwilson@cochise.az.gov

Fax: (520) 432-9278

31st

RE: Special Use Application
Docket SU-12-07

I am strongly opposed to applicant's request to establish a retail gun store in the existing retail feed and farm supply store:

Proliferation of the ready availability of weapons and ammunition in a sparsely populated area located in close proximity to the Mexican border is an invitation to trouble.

Having weapons and ammunition in the same location as propane storage presents potential hazard.

Perhaps most importantly, the availability of weapons and ammunition in the area limits the potential for other development opportunities near this location such as residential, schools, churches, medical, recreational, parks, and any other use that might be prohibited or incompatible with the sale of weapons and ammunition.

Please reject this portion of applicant's request.

Thank you.

John E. Holder

TAX PARCEL NUMBER: 107-72-010

32

SPECIAL USE: Docket SU-12-07 (Mayne)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons: _____

X NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: _____

See - attachment

(Attach additional sheets, if necessary)

PRINT NAME(S):

RACE LOESCH

SIGNATURE(S):

Race Loesch

YOUR TAX PARCEL NUMBER:

107-72-022B-2

(the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS

5476 NATOMA TRAIL SIERRA VISTA, AZ 85650

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COCHISE COUNTY

APR 26 2012

PLANNING

33

TO BOARD OF SUPERVISORS:

RE: DOCKET SU-12-07 (MAYNE)

The area this parcel is located in EXCLUSIVELY residential area for miles in the vicinity. With the exclusion of two churches, one just completed and the other just starting in the Moson Road area, there are no retail or commercial properties anywhere surrounding this area. This exclusively residential zoning adds to our peace, quiet and reduces our traffic.

I am vehemently opposed to SELLING weapons and ammunition literally in my backyard! There are many other places where weapons and ammunition can be purchased, NOT HERE.

With regards to the “veterinary” services; a number of years ago there was a resident in the vicinity that started a shelter for abandoned and abused animals. The hundreds of animals they took in created such a raucous that the peace and quite we had come to enjoy was shattered throughout the day. There was no quiet time. I am opposed to any “business” that may result similar disruption of our peace.

Allowing the expansion of this business to include the sale of weapons and an animal clinic has the potential to deteriorate our values even further for future sales.

.

SPECIAL USE: Docket SU-12-07 (Mayne)

 YES, I SUPPORT THIS REQUEST

Please state your reasons: _____

X

 NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: See attached

(Attach additional sheets, if necessary)

PRINT NAME(S):

GRACE WHITE

Grace White

SIGNATURE(S):

GERALD W. WHITE

[Signature]

YOUR TAX PARCEL NUMBER: 10772022A (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS

5426 S. Natoma Trail, SV

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COCHISE COUNTY

APR 26 2012

PLANNING

35

TO BOARD OF SUPERVISORS:

RE: DOCKET SU-12-07 (MAYNE)

Thank you for giving me this opportunity to express my concerns and opposition to the proposal for usage of Parcel #107-72-0392D.

The area this parcel is located in EXCLUSIVELY residential for miles in the vicinity. With the exclusion of two churches, one just completed and the other just starting in the Moson Road area, there are no retail or commercial properties anywhere surrounding this area. Most of us move to these R4 zoning areas specifically for that reason.

Owning guns is obviously allowed by the constitution. However, I am vehemently opposed to SELLING weapons and ammunition literally in my backyard! There are many other places where weapons and ammunition can be purchased, NOT HERE.

With regards to the "veterinary" services; a number of years ago there was a resident in the vicinity that started a shelter for abandoned and abused animals. The hundreds of animals they took in created such a raucous that the peace and quite we had come to enjoy was shattered throughout the day. There was no quiet time. I am opposed to any "business" that may result similar disruption of our peace.

As long as the existing business meets all the safety requirements for distribution and storage I am not opposed to their continued sale of that commodity.

Property values have been driven down by the implosion of the housing markets throughout the county and the country. Allowing the expansion of this business to include the sale of weapons and an animal clinic has the potential to deteriorate our values even further for future sales.

The feedstore business in this area, as they currently exist they have not been bad neighbors. I CANNOT HOWEVER SUPPORT THE EXPANSIONS THEY ARE CONSIDERING AND IF APPROVED WOULD SERIOUSLY HAVE TO CONSIDER MOVING FROM OUR BELOVED HOME FOR OUR SAFETY AND PEACE OF MIND.

**SPECIAL USE: Docket SU-12-07
(Mayne)**

COCHISE COUNTY

APR 23 2012

PLANNING

 YES, I SUPPORT THIS REQUEST

Please state your reasons: _____

 X **NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons: We have no objection to the vet clinic & propane sale. However we object to the retail gun business.

We are concerned about attracting a criminal element that

would attempt a break in after hours as in the case of the Mtn. Vista Trading Post in Jan., and that criminal element might also attempt to burglarize nearby properties (this is an isolated area), we are also concerned

(Attach additional sheets, if necessary) about increased traffic on Mason Rd, which already carries more traffic than it was designed to carry.

PRINT NAME(S): Walter L. Meyers Darlene Meyers

SIGNATURE(S):  

YOUR TAX PARCEL NUMBER: 10775002A (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 5280 S. Mason Rd.

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37E



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Carlos De La Torre, P.E., Director

MEMORANDUM

TO: Cochise County Planning and Zoning Commission

FROM: Michael Turisk, Planning Manager *MT*
For: Carlos De La Torre, Community Development Director

SUBJECT: Docket R-12-01 (Zoning Regulation Amendments – Accessory Living Quarters)

DATE: April 26, 2012, for the May 9, 2012 Meeting

I. Background

The development of Accessory Living Quarters (ALQs) is a viable and increasingly popular approach for creating alternative housing options for the elderly and disabled. Demographic studies suggest a shift towards an overall older population; this will likely result in a growing need and demand for smaller and more affordable housing which provides convenient accommodation for those elderly and disabled who are eager to maintain or gain a measure of independence, but at the same time enjoy a sense of security by living close to family, friends or caregivers.

II. Cochise County's ALQ Standards and Process

Cochise County recognizes the benefits this type of alternative housing provides by permitting ALQ development in our Zoning Regulations. However, there are distinct requirements and restrictions which are intended to ensure this type of development is incidental in nature and subordinate to principal structures to prevent overcrowding and maintain the character of single-family residential areas.

The County's ALQ requirements are as follows:

- ✓ The maximum square footage permitted for ALQs is 850 square feet, or no more than 70% of the size of the principal dwelling;
- ✓ Prohibits separate addresses or utility meters and rental separately from the main residence;
- ✓ Prohibits commercial uses other than approved home occupations; and
- ✓ Prohibits the use of recreational vehicles (other than park models) as ALQs.

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Also, in order to obtain a permit for an ALQ, the structure must:

- ✓ Be on a property with an existing home;
- ✓ Meet all site development standards, such as minimum setbacks; and
- ✓ Be zoned RU, or R-36, or SM-36, 87, 174, 10-acres, 18-acres or 36-acres, or SR-43, 87, 174, 10-acres, 18-acres or 36-acres.

Written notification of neighboring property owners within 300-feet of the subject property is a required component of the ALQ application process. Neighbors are provided 15 calendar days to file written protest and a permit may be issued if no protests are received. However, if only one protest is received, the application may be submitted to the Planning and Zoning Commission for a decision in the same manner as is used for a Special Use Permit application. In addition, proposed ALQs which exceed the maximum permitted square footage may be submitted to the Planning and Zoning Commission as a Special Use Permit application.

Upon approval, the applicant signs and staff records a notice prior to permit issuance that specifically identifies the location of the property, indicates that the structure is an ALQ, and states that the property owner or tenant has agreed to comply with all applicable County Zoning Regulations. ALQ permits run with the property and may include a kitchen facility allowing residents to enjoy the full suite of amenities permitted in the primary dwelling, easing the transition to a new living situation for those with unique housing needs and provides for as much self-sufficiency as possible.

Cochise County receives relatively few ALQ applications annually, although, again, the number of applications is anticipated to increase if demographic suggestions hold true.

III. Balancing Community Goals with ALQ Development

While many property owners embrace the option of providing an aging or disabled relative or friend a safe and convenient place during a transitional phase, when this need passes, ALQs may transition to permanent, standard long-term rental situations. ALQ development may generate community-wide anxiety over time, as concerns typically arise from the perceived impacts on property values, housing densities, neighborhood appearance and character, and parking and traffic. Size limitations, for example, are powerful mechanisms to ensure that ALQs remain subordinate to the principal structure or use, community character is maintained, and negative impacts, such as overcrowding, are minimized. ALQ size restrictions become increasingly important on small lots in order to prevent overcrowding. For example, in Cochise County, a 20-acre property zoned RU-4 (one home per four acres) may have up to five homes built on the site, so it makes more sense for that particular property owner to build a standard second home for an elderly or disabled person because the structure would not be subject to ALQ restrictions. However, a one-acre property zoned R-36 (one home per 36,000 sq.-ft.) would be required to obtain an ALQ permit, and thus be subject to associated development restrictions. Maximum size restrictions also effectively limit the number of residents, which in turn reduces the need for additional parking and services.

The challenge lies in striking a balance between the recognized need for and benefits of this type of development, and the need to preserve community character, integrity and quality of life for communities in which they are permitted.

Currently, Cochise County prohibits standard long-term rental of ALQs post-need, but permits them as guesthouses for short-term stays. Permitting standard long-term rental has the potential to alter the complexion or character of communities over time. In essence, what may result is the unintended consequence of encouraging multi-family housing situations in communities limited to single-family uses -- "*de facto*" rezoning situations whereby housing density is doubled in spite of the underlying zoning and with little input from the community. As noted above, over time this may have the effect of overcrowding, increased traffic, and an increasing need for parking and services. This scenario may also create disincentive to develop legitimate subdivisions with adequate services and infrastructure, but rather encourage lot-splitting and associated land speculations.

IV. Summary of Proposed Amendments to the Zoning Regulations

Staff recognizes that the Zoning Regulations is a fluid document that demands regular evaluation in light of changing on-the-ground conditions, social trends and demographics. Any amendments to our Regulations, however, must be cognizant of the need to preserve the integrity of underlying zoning and maintaining the overall character of various communities in the County.

A. Permitted Zoning Districts

Staff recommends eliminating the 10-acre, 18-acre and 36-acre minimum acreage requirements in the SM-36, 87,174 and SR-43, 87,174 zoning districts, thus permitting ALQs on 36,000 sq.-ft. lots in those zoning districts.

B. Maximum Permitted Size

Staff recommends increasing the maximum permitted ALQ size from 850 sq.-ft. to 1,100 sq.-ft. Since the vast majority of the County is zoned Rural, increasing the maximum permitted size would allow many County property owners the option of providing living quarters for those accustomed to living in a larger space, which would ease transition. Staff is also proposing to increase the maximum permitted ALQ size by 5% to 75% of the principal dwelling. This is to ensure that ALQ development remains subordinate to the principal dwelling.

C. Occupancy

In order to help protect neighborhood character, encourage better maintenance and upkeep, and reduce speculation, staff recommends language requiring a parcel owner with an ALQ to live either in the primary dwelling or the ALQ.

D. Rental

The purpose of ALQ development is to provide living quarters for the elderly and/or disabled, not to permit standard long-term rental. However, in light of recent trends towards revival of multi-generational living, standard rental post-family need may be permitted with Special Use approval.

This approach provide community oversight and seeks to strike a balance that would allow property owners to use ALQ development post-family need as a source of passive income or as a means of providing living space to other family members or friends, but at the same time allow the neighboring community to provide input on the proposed long-term rental situation. Soliciting community input is important to ensure that proposed multi-family situations are sanctioned by the community in which they are proposed, and would be an effective means of maintaining community character and minimizing the “de facto” rezoning scenario mentioned above.

In addition, staff is proposing to allow separate addresses and utility meters for those ALQs in the Rural Zoning Districts. The Special Use Permit process would provide opportunity for those property owners located in other Zoning Districts to have separate addresses and meters.

E. Kitchens

Our definition, per Article 2 of the Zoning Regulations, is as follows:

Any room principally used, intended or designed to be used for cooking or preparation of food. The presence of a range or oven or utility connections suitable for servicing a range or oven shall normally be considered a kitchen.

Staff is proposing to amend our definition by deleting all language referencing ovens, ranges or utilities:

Any room in a building which is used, intended, or designed to be used for cooking or preparation of food.

The Community Development Department does not have language in our Zoning Regulations explicitly restricting the number of kitchens in homes. For detached ALQs, however, the number of kitchens would be limited to one per unit in order to preclude detached multi-family situations in single-family residential areas.

V. Proposed Text Amendments

The following proposed amendments to Article 2 (Definitions) and Article 17 (Administration) of the Zoning Regulations are in boldface below:

Article 2 - Definitions

Accessory Living Quarters – An attached or detached structure that is used either as a guesthouse or as quarters for the ill, elderly or disabled, or their caretaker. Accessory living quarters must be incidental and subordinate in size, impact and purpose to a principal dwelling. The structure may be no more than ~~850~~**1,100** square feet in size, including exterior wall dimensions, In the absence of a special use permit issued pursuant to §1715.05, the structure shall be no more than ~~70%~~**75%** of the size of the principal dwelling.

The area calculation shall include all attached areas, except carports and patios, and enclosed attached garages. The combined square footage of a detached accessory living quarter and the total square footage of a garage attached to the accessory living quarters shall be subordinate in size to the principal dwelling. Detached accessory living quarters are limited to one kitchen per unit.

Except for parcels zoned Rural and in the absence of a special use permit, the accessory living quarters shall not have a separate address or separate utility meters. **In the absence of a special use permit, the accessory living quarters** shall not be rented separately from the main residence, nor used for commercial purposes other than a home occupation, **and is not intended for sale.**

There shall be no more than one accessory living quarters per lot or parcel. Recreational vehicles, other than park models, shall not be permitted as accessory living quarters in any zoning district. Manufactured homes, rehabilitated mobile homes, mobile homes with the State Office of Manufactured Housing Rehabilitation Insignia of Approval and park models may be permitted as accessory living quarters in those Zoning Districts that allow mobile homes and manufactured homes as permitted structures.

Guesthouse – Accessory living quarters that provide temporary accommodations for guests of the principal household. A guesthouse may include a kitchen but, **except for parcels zoned Rural and in the absence of a special use permit**, cannot have separate utility meters.

Kitchen - Any room in a building which is used, intended, or designed to be used for cooking or preparation of food.

1717 - Procedures for Issuing Permits for an Accessory Living Quarter

An application shall comply with the following procedures to obtain permits for accessory living quarters:

1717.01 Applications

Applications for an accessory living quarter shall include all information required for processing a building or use permit, accompanied by the fee.

1717.02 Notification of Surrounding Property Owners

Prior to issuance of a permit for the accessory living quarter, property owners within 300 feet of the subject property shall be notified by mail and given 15 days from the date of mailing of notice to file written protest with the Zoning Inspector. Notification shall include the site plan and the procedure and requirements for submitting an appeal. The written protest shall include the name and address of the person submitting the protest and reasons why the application should not be approved.

The protested application ~~shall~~ **may** be presented to the Planning and Zoning Commission for a decision in the same manner as is used for a Special Use Permit application, and all further actions on this application shall proceed in the manner applicable to a Special Use permit application.

1717.03 Occupancy

The owner of the parcel shall live either in the primary dwelling or accessory living quarter as their primary residence.

1717.034 Recordation of Notice

The applicant shall sign and the Zoning Inspector shall record a notice prior to the issuance of a permit for an accessory living quarters that specifically identifies the location of the property, indicates that the subject structure is an accessory living quarter, and stated that the property owner or tenant has agreed to comply with all County Zoning Regulations applicable to accessory living quarters.

1717.045 Size Modification

Applications for accessory living quarters that exceed the permitted square footage pursuant to Article 2 definition of Accessory Living Quarters ~~but are no greater than 850 square feet~~, may be submitted to the Planning and Zoning Commission through the Special Use process. Any such proposed accessory living quarters must be subordinate in size to an existing principal dwelling.

1717.06 Rental

Standard long-term rental of Accessory Living Quarters may be submitted to the Planning and Zoning Commission as a Special Use Permit application.

1717.057 Legal Non-Conforming Lots

ALQs are a permitted accessory use on substandard legal, non-conforming lots in zoning districts that permit accessory living quarters subject to the applicable process.

1717.068 Action by the County Zoning Inspector

A permit for an accessory living quarter may be issued by the zoning inspector if no written protest is received or if the application has been approved by the Commission and/or Board of Supervisors.

VI. Attachment:

A. Correspondence from Chief Civil Deputy dated 23 April 2012

Turisk, Mike

From: Hanson, Britt
Sent: Monday, April 23, 2012 9:36 AM
To: De La Torre, Carlos
Cc: Turisk, Mike
Subject: RE: ALQ DRAFT Memo 4-13-12.docx

I think it's okay to approve a second dwelling/rental unit through the SUP process. I understand Jim's concern, but in my view the BOS can amend the zoning regulations to allow for this.

Britt

From: De La Torre, Carlos
Sent: Wednesday, April 18, 2012 5:07 PM
To: Hanson, Britt
Cc: Turisk, Mike
Subject: FW: ALQ DRAFT Memo 4-13-12.docx

Britt:
Could you please review this proposed ALQ language, see Jim's note!

Thanks!

Carlos

From: Vlahovich, Jim
Sent: Wednesday, April 18, 2012 4:22 PM
To: Turisk, Mike; De La Torre, Carlos
Subject: ALQ DRAFT Memo 4-13-12.docx

<< File: ALQ DRAFT Memo 4-13-12.docx >>

One comment relative to allowing separate addresses and utility meters in RU districts only.

Also, did we check with Britt to make sure we could approve a second dwelling/rental unit through the SUP process? Thanks



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

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Carlos De La Torre, P.E., Director

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Keith Dennis, Senior Planner
For: Carlos De La Torre, P.E., Community Development Director
SUBJECT: Docket SU-12-06 (SSVEC)
DATE: April 23, 2012, for the May 9, 2012 Meeting

REQUEST FOR A SPECIAL USE

Docket SU-12-06 (SSVEC): The Applicant seeks Special Use Authorization from the Planning Commission to construct and operate a solar energy power plant, per Section 607.50 of the Zoning Regulations. The proposal is for a 1.2 Megawatt (MW) facility, using photovoltaic (PV) technology, and would cover an approximate 9-acre area on a 58.5-acre site. An SSVEC substation currently exists on the property.

The subject parcel (303-37-002B) is located at 2815 N. Indian Springs Road in San Simon, AZ. It is further described as being situated in Section 33 of Township 13, Range 31 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Richard Pereanu for SSVEC.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Size: 58.5 Acres
Zoning: RU-4 (Rural, 1 dwelling per 4 acres)
Growth Area: Category D (Rural Growth Area)
Plan Designation: Rural
Area Plan: None Applicable
Existing Uses: SSVEC Substation
Proposed Uses: Same, with addition of Solar Power Plant

Surrounding Zoning

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	3 rd Street, Nut Tree Orchard
South	RU-4	Business I-10, Rural Residential
East	RU-4	Rural Residential
West	RU-4	Undeveloped State Land

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II. PARCEL HISTORY

2004 – Permit issued for the existing substation. The District 3 Board of Adjustment granted a Variance to the height of the substation (Docket No. BA3-04-11), which allowed a height of 42 feet (varied from the 30-foot limit), and light poles to be 32 feet tall (varied from the 27-foot maximum).



Aerial view of the SSVEC property. The substation is at lower left.

III. SPECIAL USE REQUEST AND BACKGROUND

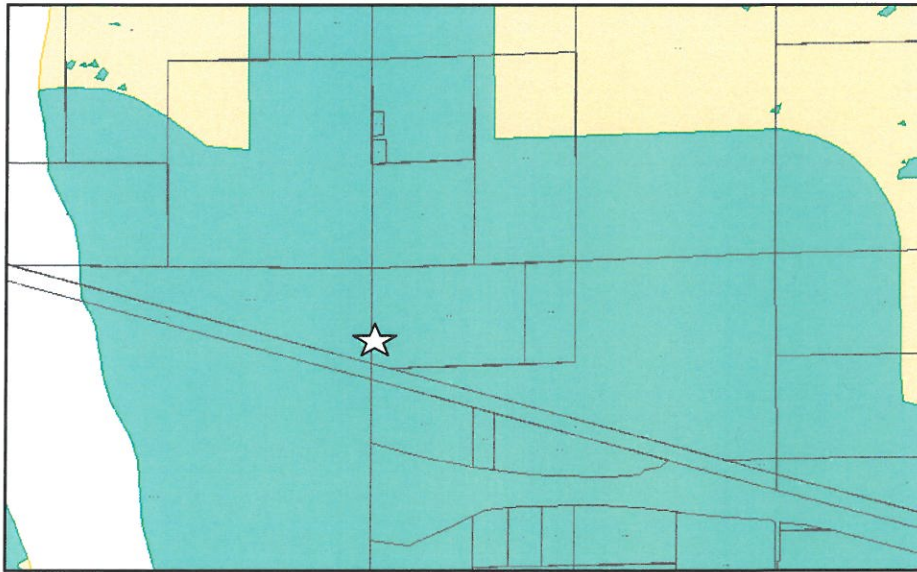
Sulphur Springs Valley Electric Cooperative (SSVEC) is the Applicant for this Docket. SSVEC owns and operates an electrical substation on the subject parcel. The proposal is to install and operate a 1.2 megawatt solar energy power plant employing photovoltaic panel (PV) technology. The panels are mounted onto posts, and are each outfitted with hardware allowing them to track the Sun's movements across the sky for optimal efficiency (See Attachment C – Site Plans).

Inverters will be utilized to convert the Direct Current (DC) created into Alternating Current (AC) to be uploaded into the power grid. Placing the solar energy power plant in such close proximity to the existing substation means that the power from this plant will be able to readily tie into the area infrastructure, thus allowing the power produced to go directly into the power grid.

The remnant of the 58.5-acre site not occupied by the substation or proposed solar array may be used for a future expansion of the solar energy plant. At this time it is not known for certain if the Applicant intends to pursue such a course. Staff has informed the Applicant that such expansion will require a Special Use Modification subject to a new public process, as the possible full scope of the project was not advertised prior to this hearing.

In April of 2012, Mark Apel with the University of Arizona Cooperative Extension completed a study entitled *Solar Facility Siting Analysis for Cochise County, Arizona*. Mr. Apel presented this study and its findings to the Planning Commission at their regular meeting of April 2012.

The report is accompanied by two maps reflecting the low to high potential areas for solar power plant suitability. The project site is within an area identified by the study as having a high potential for smaller-scale solar projects (less than 5 MW), and is within a medium to high potential area for larger-scale projects (greater than 5 MW).



The star on the above map shows the location of the SSVEC substation on the subject property. The green shading refers to high potential for solar projects of less than 5 megawatts.

IV. COMPLIANCE WITH SPECIAL USE FACTORS (SECTION 1716.02)

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend approval for a Special Use Permit, as well as to determine what conditions and/or modifications may be needed. Eight of the 10 criteria apply to this request. The project complies with six of the eight applicable factors as submitted, but with the recommended conditions, the proposal would comply with each of the eight applicable factors.

A. Compliance with Duly Adopted Plans: Not Applicable

The special use is consistent with master development plans, transportation plans or other land use plans if any have been adopted for the area encompassing the special use.

The project site is not within any such area.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposed special use shall comply with one or more of the purposes stated in the "Purpose" section of the applicable zoning district and harmonious with existing development.

The project would comply with Section 601.02, a Rural District purpose statement that describes land uses that serve the local population and are compatible with rural living. Large-scale solar projects are often sited in rural areas

C. Development Along Major Streets: Complies

The development limits the number of access points on major thoroughfares or arterial streets, and County collectors through the use of frontage roads, shared access, no access easements or other safe methods designed to minimize road cuts that create unsafe traffic conflicts, hazardous traffic congestion and obstruct the functioning of arterials.



Project site as seen from the 3rd Street / Indian Springs Road intersection.

The project site is located along the intersection of two County-maintained roads: 3rd Street to the North, and Indian Springs Road to the West. The intent is to use the existing driveway on Indian Springs Road for access to the solar facility. No new points of access are proposed.

D. Traffic Circulation Factors: Complies

- 1. The special use is consistent with preservation of the functions of surrounding streets as defined in Section 102B3 (a-g) of the Comprehensive Plan.*
- 2. The special use does not result in the use of any residential street for non-residential through traffic.*
- 3. Consideration of future circulation needs in the surrounding area have been taken into account through right-of-way dedication and off-site improvements, if warranted.*

The project site, as stated, would utilize an existing access point onto a County-maintained road just North of the Business I-10 loop. The Special Use would be consistent with the function and design of Indian Springs Road; County highway staff has indicated that no off-site improvements would be necessary. There is no residential area in proximity to the project site.

E. Adequate Services and Infrastructure: Complies (Subject to Condition #2)

The following factors are used to determine if there are adequate services and infrastructure to serve the special use:

1. *The applicant has provided adequate information to evaluate the impacts on roads, other infrastructure and public facilities. The applicant must demonstrate that there are adequate provisions to address the impacts identified; the applicant shall provide data supporting the estimated traffic volume as part of the application.*
2. *If the site accesses on a road where existing demonstrable traffic problems created by incremental development have already been identified, such as a high number of accidents, substandard road design or surface, or the road is near or over capacity. If so, the applicant has proposed a method to address these problems.*
3. *The proposed development meets or will meet the applicable requirements for street, sewer, or water improvements.*
4. *The site has access to streets that are adequately designed and constructed to handle the volume and nature of traffic typically generated by the use.*

If approved, Condition #2 would require an engineered drainage study complete with a storm water pollution prevention plan (SWPP) in order to ensure adequate on-site stormwater retention (See Factor I, below).

F. Significant Site Development Standards: Complies (Subject to Condition #1)

The special use adequately addresses the significant applicable site development standards, including development in or near a floodplain. The applicant has adequately justified any waivers requested from site development standards.

Staff has received a detailed concept plan with the Application. The Applicant can meet all site development standards, and has requested no modifications to the same. To the extent that the standard Condition #1 requires a revised site plan prior to commercial permit issuance, this requirement is largely met with the submitted plan.

G. Public Input: Complies

The Applicant completed the Citizen Review process and received no response.

H. Hazardous Materials: Not Applicable.

I. Off-site Impacts: Complies (Subject to Condition #2)

Adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights or storm water run-off.

The concept plan reflects the preliminary considerations in this regard, as it shows a retention pond, as well as the limits of the area to be disturbed during construction. The plan labels the latter as being subject to dust and erosion control methods per the forthcoming SWPP plan.

J. Water Conservation: Complies

The special use complies with the water conservation policies in Section 102E of the County Comprehensive Plan or any other adopted area plan.

This section (102E.2(a)) stipulates that major developments shall "[m]inimize overall water use through water conservation measures such as drought-tolerant landscaping, low-flow fixtures, re-use, water harvesting, deed restrictions and other water conservation methods." At 135 acres,

the project is considered a “major development,” and as such, is subject to the water conservation policies in Section 102E of the Comprehensive Plan. The nature of the project is such that many of the methods suggested in the Comprehensive Plan will not be applicable. Water use on the property would be limited to routine cleaning of the PV panels to maintain efficiency. Given the scope of the project, and the fact that PV panels are a low water use technology, staff anticipates minimal water use for the project. Note that there is no on-site well; water would have to be trucked in for cleanings.

V. PUBLIC COMMENT

Staff mailed notices to property owners within one mile of the subject property, posted the property as required on April 2, 2012, and published a legal notice on April 19, 2012. Within the notification buffer, staff has received no correspondence from any property owner supporting or opposing the project.

VI. SUMMARY AND RECOMMENDATIONS

Factors in Favor of Allowing the Special Use

1. With the recommended conditions, the Solar Energy Power Plant would comply with each of the eight applicable Special Use evaluation factors;
2. These types of utility-scale projects offer a clean and renewable source of energy that would enable Cochise County and SSVEC to participate in achieving the ACC mandate for 15% renewable energy production by 2025;
3. As the project area is on an existing substation site, the Solar Energy Power Plant would benefit from instant, on-site access to the power grid, maximizing efficiency and saving rate-payers from other potential up-front infrastructure investment costs;
4. The project can meet all Solar Energy Power Plant site development standards for the Rural zoning districts.
5. The property is identified by the latest research as being well-suited for a solar power project at the scale proposed, as it is ideal in that it is expansive, very rural and flat and offers unobstructed solar access;
6. Post construction traffic would be minimal; and
7. Water use would be comparatively low to other utility-scale solar technologies and many agricultural uses found in the County.

Factors Against Approval

None Apparent.

Based on the factors in favor of approval, staff recommends **conditional approval** of the Special Use request. Staff recommends such approval be subject to the following conditions:

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1. Within thirty (30) days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. The Applicant shall apply for a building/use permit for the project within one year of approval, such application to include a completed joint permit application. The building/use permit shall include a revised, complete commercial permit questionnaire, and appropriate fees. The submittal shall also include a site plan in conformance with all applicable site development standards, and with Section 1705 of the Zoning Regulations. A permit must be issued within 18 months of Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. As part of the commercial permitting process, the Applicant shall provide County staff with a land clearing permit which includes a detailed drainage study and proposed mitigation for stormwater runoff, erosion and transient dust, to the satisfaction of County staff.
3. It is the Applicant's responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations; and
4. Any changes to the approved Special Use, including the employment of a solar power technology other than PV panels, shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission. and

Sample Motion: *"Mr. Chairman, I recommend approval of Docket SU-12-06, with the conditions of approval as recommended by Staff; the factors in favor of approval constituting findings of fact."*

VII. ATTACHMENTS

- A. Special Use Application
- B. Location Map
- C. Site Plans
- D. Citizen Review Report



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning & Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

COCHISE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER: 303-37-002B ZONING DISTRICT RU-4
APPLICANT: SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE (RICHARD PEREANU)
MAILING ADDRESS: 350 N. HASKELL AVE, WILLCOX, AZ 85644
CONTACT TELEPHONE NUMBER: (520) 678-1296
PROPERTY OWNER (IF OTHER THAN APPLICANT): ANDREA SHANNON (SSVEC)
ADDRESS: 350 N. HASKELL AVE, WILLCOX, AZ 85644

DATE SUBMITTED: MARCH 30TH 2012

Special Use Permit Public Hearing Fee (if applicable)	\$ _____
Building/Use Permit Fee	\$ _____
Total paid	\$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (9) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Citizen Review Report, if special use.

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6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
7. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? ELECTRICAL UTILITY SUBSTATION

2. What is the proposed use or improvement? SOLAR ENERGY POWER PLANT

3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? CLEAR & GRUB CONSTRUCTION

LIMITS, INSTALL STEEL SUPPORT, INSTALL SECURITY FENCE, INSTALL MODULES + EQUIPMENT.
THE SITE IS IN A REMOTE AREA AND WILL BE HYDRO SEEDING TO CONTROL DUST.

4. Describe all intermediate and final products/services that will be produced/offered/sold.

ELECTRICITY WILL BE TRANSMITTED TO THE EXISTING SAN SIMON

SUBSTATION FOR USEAGE OF OUR MEMBERS.

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

NO BUILDINGS WILL BE CONSTRUCTED.

6. Will the project be constructed/completed within one year or phased? One Year X
Phased if phased, describe the phases and depict on the site plan.

COMPLETION ON OCT. 2012.

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 7 Hours (from 12 AM to 12 PM)

B. Number of employees: Initially: 0 Future: 0 (UNMANNED FACILITY)
Number per shift Seasonal changes

C. Total average daily traffic generated:

(1) (SITE WILL BE MONITORED @ THE EXISTING SUBSTATION.)
How many vehicles will be entering and leaving the site.

N/A

(2) Total trucks (e.g., by type, number of wheels, or weight)

N/A

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

N/A

(4) If more than one direction, estimate the percentage that travel in each direction

N/A

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest?

N/A

D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan. N/A

Estimated total gallons of water used: per day 0 per year 0

E. Will you use a septic system? Yes ___ No X If yes, is the septic tank system existing? Yes ___ No ___
Show the septic tank, leach field and 100% expansion area on the site plan.

F. Does your parcel have permanent legal access*? Yes X No ___
If no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one):
_____ private road or easement**
X County-maintained road
_____ State Highway

**If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.
Attached _____ NA X

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	<u>N/A</u>	
Sewer/Septic	<u>N/A</u>	
Electricity	<u>SSVEC</u>	
Natural Gas	<u>N/A</u>	
Telephone	<u>N/A</u>	
Fire Protection	<u>FIRE MARSHALL</u>	

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

SOLAR PV MODULES WILL BE TRACKING THE SUN.

2. Will outdoor storage of equipment, materials or products be needed? Yes ___ No ☒ If yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. _____

3. Will any noise be produced that can be heard on neighboring properties? Yes ___ No ☒ If yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? _____

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No ☒ If yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____

5. Will odors be created? Yes ___ No ☒ If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____

6. Will any activities attract pests, such as flies? Yes ___ No ☒ If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____

7. Will outdoor lighting be used? Yes ___ No ☒ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
8. Do signs presently exist on the property? Yes ___ No ☒ If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. _____ B. _____ C. _____ D. _____

9. Will any new signs be erected on site? Yes ☒ No ☐ If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ☐ No ☒

If yes, will storm water be directed into the public right-of-way? Yes ☐ No ☒

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ☐ No ☒

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

CRUSHED AGGREGATE (4" THICK)

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?

Yes ☐ No ☒ If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development, Planning, Zoning & Building Safety Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site is one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

ONLY CONSTRUCTION WATER WILL BE USED (NO WATER SERVICE ONSITE).

2. How many acres will be cleared? ± 8 ACRES TO 9 ACRES (MAX)

If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.) WATER TRUCKS WILL BE USED DURING ACTIVE

CONSTRUCTION. HYDROSEEDING WILL BE PLACED ON ALL DISTURBED AREAS.

SWPPP PLAN WILL BE PROVIDED AT BUILDING PERMIT SUBMITTAL.

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

No X Yes _____ If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

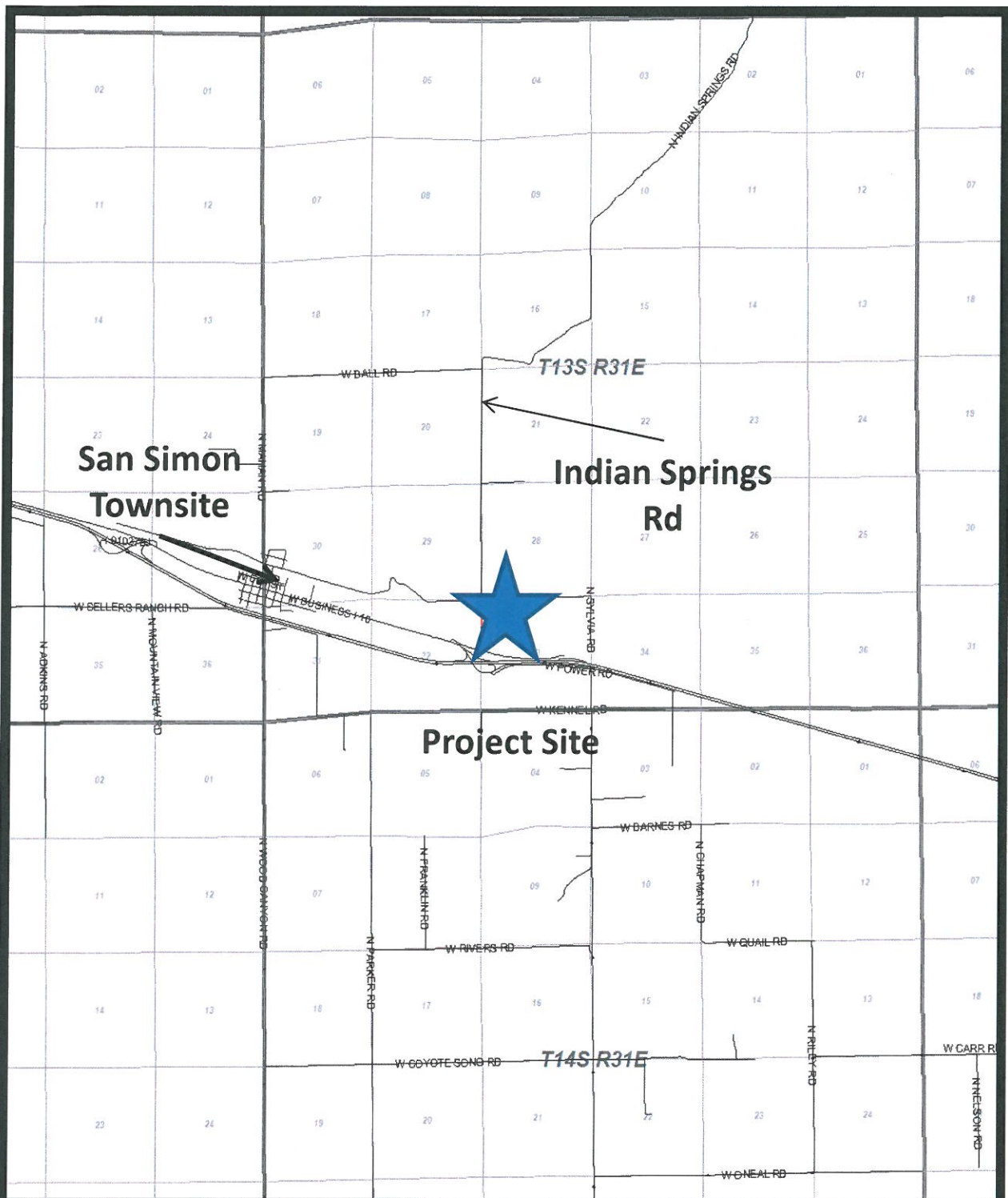
Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature Andrea Shannon

Date signed 3/30/12



**SU-12-06
(SSVEC Solar Plant)
Location Map**

This map is a product of the
Cochise County GIS



0' 1" = 8466'

B
59

SAN SIMON SOLAR PROJECT

COCHISE COUNTY, ARIZONA

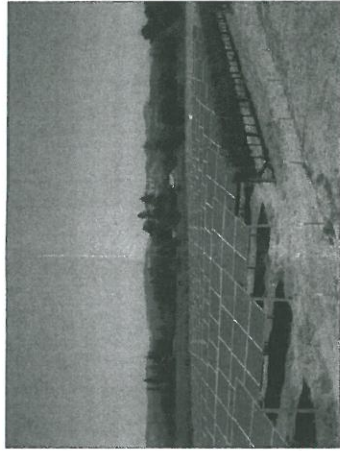
PROJECT CONTACTS

APPLICANT / OWNER

SUNRISE SPRINGS VALLEY ELECTRIC COOPERATIVE, INC.
330 N. HASKELL AVE.
WILCOX, ARIZONA 85643
PHONE: 520.678.1296
OFFICE: 520.678.1296
EMAIL: BPREAN@SSVEC.COM

SOLAR CONTRACTOR

SPC SOLAR
3450 S. BROADMONT - SUITE 108
TUCSON, ARIZONA 85713
PHONE: 520.822.5353
OFFICE: 520.822.5353
EMAIL: ED.ORETTI@SPCSOLAR.COM



SOLAR ARRAY
N.T.S.

SHEET INDEX

COVER SHEET.....A1
DETAIL SHEET.....A2
SITE PLAN.....A3

PROJECT ADDRESS

SAN SIMON SUBSTATION
18150 N. HASKELL AVE.
SAN SIMON, ARIZONA 85532
COCHISE COUNTY, ARIZONA

SOLAR FACILITY SPECIFICATIONS

SYSTEM TYPE: SINGLE AXIS TRACKER GROUND MOUNT SYSTEM
TRACKER TYPE: SUNTECH STP280-2400, 280' W MODULES (4.356)
PANEL TYPE: SUNTECH STP280-2400, 280' W MODULES (4.356)
INVERTER TYPE: SMA 5000-100000, 5000' W INVERTER (2)
LATITUDE: 32°15'31" LONGITUDE: 109°11'33"
INTERCONNECTING WIRING SHALL BE IN ACCORDANCE WITH THE
SHADING OBSTRUCTION IS CONTINGENT UPON VERIFICATION OF
SOLAR TIE-IN TO MEET SSVEC INTERCONNECTION REQUIREMENTS.

PROJECT SUMMARY

TONING DISTRICT	PURCH NUMBER	FLOOD DESIGNATION	EXISTING USE	SPECIAL USE
RU-4	303-37-0029	ZONE X	UTILITY SUBSTATION	SOLAR ENERGY POWER PLANT

PROJECT NOTES

PARKING IS PROVIDED WITHIN THE EXISTING SUBSTATION FENCED AREA (SURFACING IS 4" CRUSHED AGGREGATE).
THE EXISTING SUBSTATION FENCED AREA IS NOT TO BE REMOVED OR MODIFIED FOR THE SOLAR PROJECT.
ELECTRIC SUBSTATION WILL NOT BE HANDICAP ACCESSIBLE (SEE ADR 4.1.1(5)(5) FOR INFORMATION).
NO OFFSITE IMPROVEMENTS ARE TO BE INSTALLED.
NO OUTDOOR LIGHTING WILL BE PROVIDED.
WARNING & EMERGENCY SIGNAGE ARE TO BE LOCATED PER NEC REQUIREMENTS (SEE SIGNAGE DETAILS).
THE SITE WILL NOT BE OPEN TO THE PUBLIC. ELECTRIC SERVICES BY SSVEC.

DRAINAGE NOTE

THE PARCEL IS DESIGNATED IN A ZONE 'X' FLOOD ZONE. THE
EXISTING DRAINAGE SYSTEM SHALL BE MAINTAINED AND
FLOW TO REMAIN. DUE TO THE INCREASE IN RUNOFF FROM THE
SOLAR PROJECT, THE EXISTING DRAINAGE SYSTEM SHALL BE
THE BOARD OF THE EXISTING DRAINAGE SYSTEM SHALL BE
COUNTY AND STATE STANDARDS. THIS BASIN WILL PROVIDE
RETENTION FOR ALL ADDITIONAL DRAINAGE FLOWS.

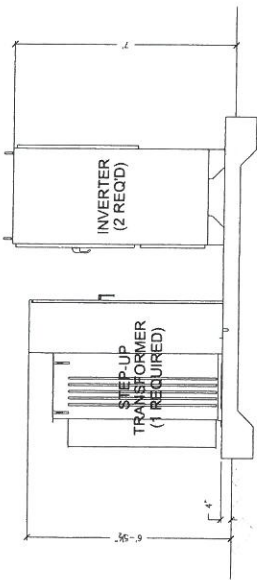
LEGAL DESCRIPTION

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 33,
TOWNSHIP 13 SOUTH, RANGE 31 EAST OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA.
EXCEPT THE EAST 660 FEET THEREOF.

SAN SIMON SOLAR PROJECT COVER SHEET

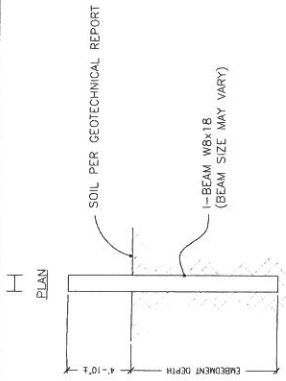
PROJECT NO.	DATE	SHEET NO.
84281	03/25/12	A1
Revisions:		1 OF 3

NOTES:
1. STEP-UP TRANSFORMER & INVERTER TO BE PAD MOUNTED.
2. TWO INVERTERS : ADVANCED ENERGY 500 KW (480 V - 97.5% E.F.F)



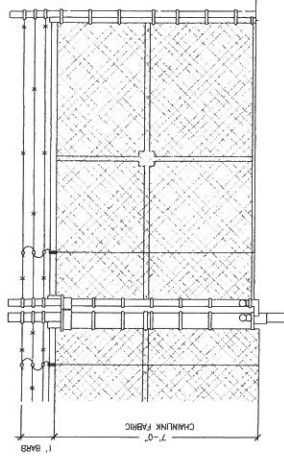
A MAJOR EQUIPMENT ELEVATION
SCALE: N.T.S.

NOTES:
1. THE FOUNDATION WILL CONSIST OF DRIVEN STEEL PILES IF SOIL CONDITIONS PERMIT.
2. EMBEDMENT DEPTH PER SOILS REPORT & STRUCTURAL DESIGN.
3. PROVISIONS SHALL BE USED FOR TREATMENT AND INSTALLATION OF STEEL PILING.



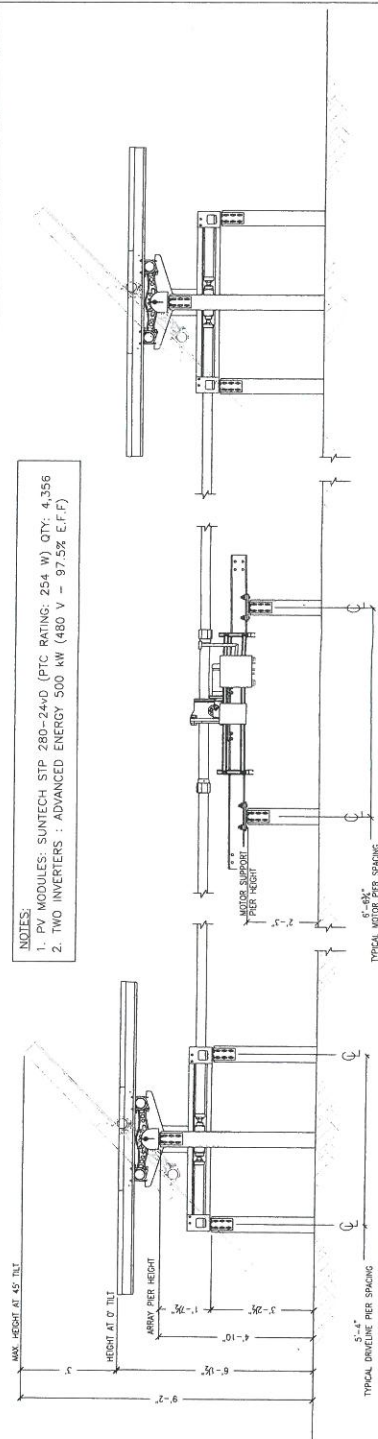
B STEEL SUPPORT - PILE SECTION
SCALE: N.T.S.

NOTES:
1. FENCE TO BE CHAINLINK WITH NO SCREENING.



C PERIMETER FENCE ELEVATION
SCALE: N.T.S.

NOTES:
1. PV MODULES: SUNTECH STP 280-24-0 (PTC RATING: 254 W) QTY: 4,356
2. TWO INVERTERS : ADVANCED ENERGY 500 KW (480 V - 97.5% E.F.F)



D TRACKING SYSTEM ELEVATION
SCALE: N.T.S.

ALAMO SUBSTATION
DEVELOPMENT PLAN

SONOITA, ARIZONA

WGL 84261 Date: 03/20/12

Revisions:

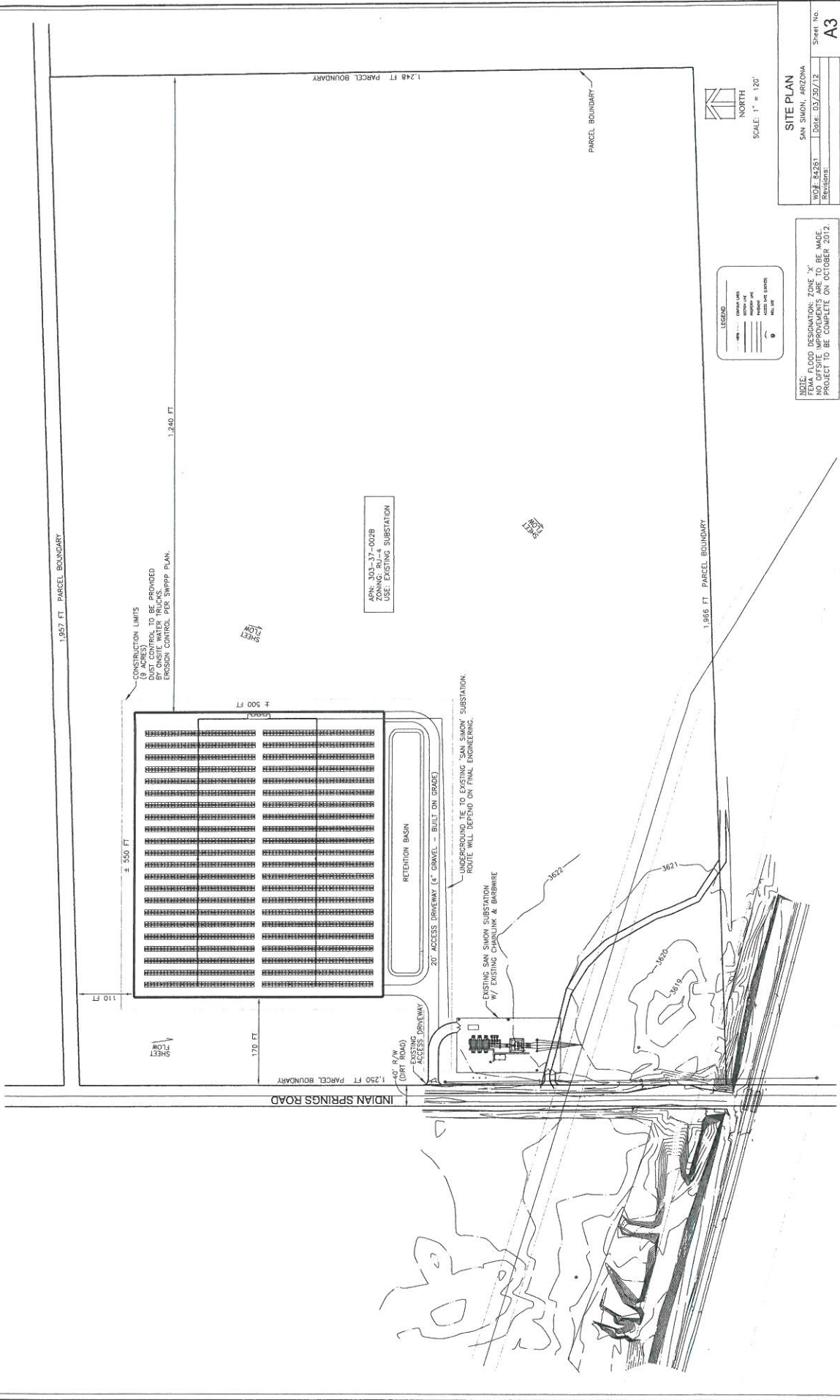
Sheet No.

A2

2 OF 3

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SAN SIMON SOLAR PROJECT SITE PLAN



SITE PLAN	
SAN SIMON, ARIZONA	Sheet No.
WOE 84261	Date: 03/29/12
Revisions:	A3
	3 OF 3

NOTE: ALL OFF-SITE IMPROVEMENTS ARE TO BE MADE. PROJECT TO BE COMPLETE ON OCTOBER 2012.

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Kennedy Rd

INDIAN SPRINGS ROAD

SUBSTATION ROAD

190'-5"

492'-1"

148'-0 1/2"

214'-3 1/2"

214'-3 1/2"

SECURITY FENCE

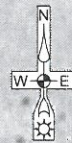
20' VEHICLE GATE

EXISTING SUBSTATION

NEW GRAVEL ACCESS ROAD

NEW RETENSION BASIN


PRELIMINARY SITE PLAN



Kennedy Rd



Sulphur Springs Valley Electric Cooperative, Inc.

A Touchstone Energy® Cooperative 

350 North Haskell Ave, Willcox AZ 85644

Citizen Review Report

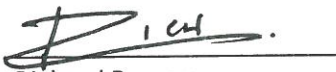
Date: March 30th 2012

A written notification letter and a preliminary site plan was mailed to all land owners within 1,500 feet of the subject parcel. A copy of all letters that went out are attached for your records. As of this date no feedback or responses have been provided. If any responses are provided SSVEC will log and record all information. The list of land owners that received the notification include:

1. CORBET JAMES L - PO BOX 3617 – WICKENBURG, AZ 85358
2. FARMERS INVESTMENT CO – PO BOX 7 – SAHUARITA, AZ 85629
3. GONZALEX ANDRES A & ROSE – PO BOX 236 – SAN SIMON, AZ 85632
4. HILLS STEVEN L – HC 76 BOX 6 – LORDSBURG, NM 88045
5. MC MURREN THOMAS W – PO BOX 1642 – MOLINE, IL 61266
6. RATLIFF FAMILY LIVING TRUST – 3400 S SPANISH TERRACE – TUCSON, AZ 85730
7. SAMPLE WYLMA M & WALTER E – PO BOX 13002 – TUCSON, AZ 85732
8. UNION PACIFIC RAILROAD – 1400 DOUGLAS STREET STOP 1640 – OMAHA, NE 68179

If you have any questions please give me a call.

Sincerely,



Richard Pereanu

Project Manager

Sulphur Springs Valley Electric Cooperative

350 North Haskell Ave.

Willcox, Arizona 85644

Office: (520) 384-5458

Cell: (520) 678-1296

Email: rpereanu@ssvec.com

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Sulphur Springs Valley Electric Cooperative, Inc.

A Touchstone Energy® Cooperative 

350 North Haskell Ave, Willcox AZ 85644

SSVEC San Simon Solar Project - Public Notification

Date: March 29th 2012

Dear Union Pacific Railroad,

Sulphur Springs Valley Electric is submitting a special use application in order to construct a new solar facility. The new solar facility is to be constructed adjacent to the existing San Simon Substation. At the request of the Planning and Zoning Commission, we are providing this notification to all parcels within the vicinity.

The solar facility will include a single axis tracker solar panel array. The site will have a fenced area of approximately 600 feet x 500 feet. Attached is a conceptual site plan of the solar facility.

Cochise County Planning & Zoning Commission meeting date is scheduled for May 9th 2012 at 4:00 PM at 1415 Melody Lane,
Board of Supervisors Room, Building G, Bisbee, Arizona 85603.

If you have any questions please give me a call, email or feel free to set an appointment with me at SSVEC's Willcox Office.

Sincerely,

Richard Pereanu
Project Manager
Sulphur Springs Valley Electric Cooperative
350 North Haskell Ave.
Willcox, Arizona 85644
Office: (520) 384-5458
Cell: (520) 678-1296
Email: rpereanu@ssvec.com

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SPECIAL USE: Docket SU-12-06 (SSVEC)

☐ YES, I SUPPORT THIS REQUEST

Please state your reasons: _____

☒ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: *I've presented to this project to Sulphur Springs about 2 years ago & they turned it down. Now they want me to do the project - not a chance. I'm sure they have enough votes for it - it doesn't make me very happy.*

(Attach additional sheets, if necessary)

PRINT NAME(S): WALTER E. SAMPLE

SIGNATURE(S): Walter E. Sample

YOUR TAX PARCEL NUMBER: 303-37-003-8 (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS P.O. Box 13002 Tucson, Az 85732-3002

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. Written comments must be received by our Department no later than 4 PM on April 30, 2012 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.

RETURN TO: Keith Dennis

Cochise County Planning Department **COCHISE COUNTY**
1415 Melody Lane, Building E
Bisbee, AZ 85603
Email: kdennis@cochise.az.gov
Fax: (520) 432-9240

APR 26 2012

PLANNING

COCHISE COUNTY

APR 26 2012

PLANNING

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